

**FIRST DAY - JANUARY 4, 2017****LEGISLATIVE JOURNAL****ONE HUNDRED FIFTH LEGISLATURE  
FIRST SESSION****FIRST DAY**

Legislative Chamber, Lincoln, Nebraska  
Wednesday, January 4, 2017

**PRAYER**

The prayer was offered by Senator Kolterman.

**ROLL CALL**

Pursuant to the provisions of Article III, Section 10 of the Constitution of Nebraska, the One Hundred Fifth Legislature, First Session of the Legislature of Nebraska, assembled in the George W. Norris Legislative Chamber of the State Capitol at the hour of 10:00 a.m., on Wednesday, January 4, 2017, and was called to order by President Foley.

The roll was called and the following members were present:

Albrecht, Joni	Hansen, Matt	McDonnell, Mike
Baker, Roy	Harr, Burke J.	Morfeld, Adam
Blood, Carol	Hilgers, Mike	Murante, John
Bolz, Kate	Hilkemann, Robert	Pansing Brooks, Patty
Bostelman, Bruce	Howard, Sara	Quick, Dan
Brasch, Lydia	Hughes, Dan	Riepe, Merv
Brewer, Tom	Kintner, Bill	Scheer, Jim
Briese, Tom	Kolowski, Rick	Schumacher, Paul
Chambers, Ernie	Kolterman, Mark A.	Smith, Jim
Craighead, Joni	Krist, Bob	Stinner, John P.
Crawford, Sue	Kuehn, John L.	Vargas, Tony
Ebke, Laura	Larson, Tyson	Walz, Lynne
Erdman, Steve	Lindstrom, Brett	Watermeier, Dan
Friesen, Curt	Linehan, Lou Ann	Wayne, Justin
Geist, Suzanne	Lowe, John S.	Williams, Matt
Groene, Mike	McCollister, John S.	Wishart, Anna
Halloran, Steve		

**MOTION - Temporary Clerk and Sergeant at Arms**

Senator Harr moved to appoint Mr. Patrick J. O'Donnell as temporary Clerk of the Legislature and Mr. Ron Witkowski as temporary Sergeant at Arms.

The motion prevailed.

**MOTION - Committee on Credentials**

Senator Brasch moved that we proceed to the election of five persons to serve as the Committee on Credentials, who will forthwith report to the Legislature on the credentials of those claiming to be elected to the Legislature in the General Election in November 2016.

The motion prevailed.

Senator Hughes moved to elect the following five members of the Legislature to serve on the Committee on Credentials: Senators Harr, Krist, Schumacher, Smith, and Watermeier.

The motion prevailed.

**REPORT OF COMMITTEE ON CREDENTIALS**

State of Nebraska

United States of America, ) ss.	Secretary of State
State of Nebraska )	State Capitol
	Lincoln, Nebraska

I, John A. Gale, Secretary of State of the State of Nebraska do hereby certify that the attached is a true and correct copy of the Official Roster of members of the Nebraska Unicameral Legislature elected or appointed to serve in the One Hundred Fifth Legislature, First Session, 2017.

Further, I hereby certify that the members so listed on the Official Roster attached hereto are the duly elected or appointed members of the Unicameral Legislature in the State of Nebraska for the One Hundred Fifth Legislature, First Session, 2017.

Finally, I hereby certify that all election returns, abstracts, canvass and appointment records with reference to said members are on file in the office of the Secretary of State and are a matter of public record.

In Testimony Whereof, I have hereunto set my hand and affixed the Great Seal of the State of Nebraska on this date of January 4, 2017.

(SEAL)	(Signed) John A. Gale
	Secretary of State

DISTRICT/NAME	ELECTED
1 Dan Watermeier	November 8, 2016
2 Bill Kintner	November 4, 2014
3 Carol Blood	November 8, 2016
4 Robert Hilkemann	November 4, 2014
5 Mike McDonnell	November 8, 2016
6 Joni Craighead	November 4, 2014
7 Tony Vargas	November 8, 2016
8 Burke J. Harr	November 4, 2014
9 Sara Howard	November 8, 2016
10 Bob Krist	November 4, 2014
11 Ernie Chambers	November 8, 2016
12 Merv Riepe	November 4, 2014
13 Justin Wayne	November 8, 2016
14 Jim Smith	November 4, 2014
15 Lynne M. Walz	November 8, 2016
16 Lydia Brasch	November 4, 2014
17 Joni Albrecht	November 8, 2016
18 Brett Lindstrom	November 4, 2014
19 Jim Scheer	November 8, 2016
20 John S. McCollister	November 4, 2014
21 Mike Hilgers	November 8, 2016
22 Paul Schumacher	November 4, 2014
23 Bruce Bostelman	November 8, 2016
24 Mark A. Kolterman	November 4, 2014
25 Suzanne Geist	November 8, 2016
26 Matt Hansen	November 4, 2014
27 Anna Wishart	November 8, 2016
28 Patty Pansing Brooks	November 4, 2014
29 Kate Bolz	November 8, 2016
30 Roy Baker	November 4, 2014
31 Rick Kolowski	November 8, 2016
32 Laura Ebke	November 4, 2014
33 Steve Halloran	November 8, 2016
34 Curt Friesen	November 4, 2014
35 Dan Quick	November 8, 2016
36 Matt Williams	November 4, 2014
37 John S. Lowe Sr.	November 8, 2016
38 John L. Kuehn	November 4, 2014
39 Lou Ann Linehan	November 8, 2016
40 Tyson Larson	November 4, 2014
41 Tom Briesse	November 8, 2016
42 Michael Groene	November 4, 2014
43 Tom Brewer	November 8, 2016
44 Dan Hughes	November 4, 2014
45 Sue Crawford	November 8, 2016
46 Adam Morfeld	November 4, 2014
47 Steve Erdman	November 8, 2016
48 John P. Stinner Sr.	November 4, 2014
49 John Murante	November 8, 2016

**MOTION - Credentials Committee Report**

Senator Smith moved to approve the attached report as certified and presented by the Secretary of State, and furthermore, the committee takes notice of statutory Section 32-1111, R.R.S., which states in part that when an election is contested, the person holding the certificate of election shall exercise the duties of office until the election contest is decided.

The motion prevailed.

**NOTICE OF ELECTION CONTEST**

Nebraska Unicameral Legislature

<u>John Sciara, candidate</u>	)	
Plaintiff	)	
	)	Patrick J. O'Donnell, Clerk
vs	)	Clerk of the Legislature
<u>Ernest W. Chambers, candidate</u>	)	
Defendant	)	

## Petition of Qualifications Challenge

- I. Pursuant to Nebraska Legislature Rule book, rule 10, sec 3, qualification challenges may be brought only by an unsuccessful candidate. Qualification challenges must be brought within forty days following the General Election.
- II. Pursuant to the Nebraska State Constitution, Article III, sec 8, qualification for the office of member of the Legislature require that the candidate has resided within the district from which he is elected for the term of one year next before his election.
- III. Pursuant to the Nebraska State Constitution, Article III, sec 10, the Legislature shall determine the rules of its proceedings and be the judge of the election, returns, and qualifications of its members.
- IV. Pursuant to rule 10, sec 3, a qualifications challenge shall be brought by filing a petition of qualifications challenge with the Clerk, and by serving a copy of the petition on the purported winner.
- V. Pursuant to rule 10, sec 1, each election contest and qualifications challenge filed with the Clerk shall be referred by the Clerk to the Reference Committee, who in turn shall refer the matter to a specially created committee to consider such contest or challenge. The committee shall consist of an odd number of members, shall have a minimum of five members and shall consist of members appointed by the Executive Board. The chairperson of such committee shall be appointed by the Executive Board.

VI. Pursuant to rule 10, sec 4, election contests and qualifications challenges shall be heard and determined as expeditiously as possible under adversary procedures wherein each party to the proceedings has a reasonable opportunity to present his claim, any defense and arguments, and to respond to those of his opponents. All parties may be represented by counsel.

Election contests and qualifications challenges shall be heard and determined in accordance with the applicable provisions of the Nebraska statutes, the Nebraska Constitution, and the United States Constitution. Judicial decisions which bear on a point of law in a contest or challenge shall be admissible in the arguments of the parties and the deliberations and decisions of the committee. Judicial decisions applicable to a point of law or to a fact situation to the committee shall be given weight as precedent.

VII. It is my belief that through the conversations with numerous people, that Senator Chambers, while having a residence in North Omaha, actually domiciles in Bellevue, making him ineligible under the Nebraska Constitution for failing to meet the requirement to reside in the district for one year prior to election date.

As the unsuccessful candidate that meets all of the requirements under the Nebraska Constitution, I request that the Clerk of the Legislature meet his obligations under the Rules of the Legislature to have the reference committee establish a committee to determine the validity of my eligibility challenge in a expedited manner before the start of the new session of the Legislature.

(Signed) John Sciara  
4038 Seward St  
Omaha NE 68111  
402 378-2102

Nebraska Unicameral Legislature

John Sciara,	)	
Plaintiff	)	
	)	
vs.	)	<b>AFFIDAVIT OF SERVICE</b>
	)	
Ernie Chambers	)	
Defendant	)	
	)	

State of Nebraska

County of Douglas

John Sciara, being first duly sworn on oath, disposes and states that on

November 15th, 2016 he did deliver in person one copy of Plaintiff's petition for qualification challenge to Senator Chambers office with the State Capitol.

(Signed) John Sciara

Subscribed and Sworn to before me this 15th day of November, 2016

(Signed) Kathy Briden  
Notary Public

### **MOTION - Escort Chief Justice**

Senator Morfeld moved that a committee of five be appointed to escort the Chief Justice of the Supreme Court to the Legislative Chamber for the purpose of administering the oath of office to the members of the Legislature.

The motion prevailed.

The Chair appointed Senators Ebke, Kolterman, Riepe, Pansing Brooks, and Harr to serve on said committee.

### **MEMBERS' OATH OF OFFICE**

STATE OF NEBRASKA )  
                                  ) ss.  
LANCASTER COUNTY )

Do you and each of you solemnly swear (or affirm) that you will support the constitution of the United States, and the constitution of the State of Nebraska, and will faithfully discharge the duties of members of the Legislature according to the best of your ability, and that at the election at which you were chosen to fill said office, you have not improperly influenced in any way the vote of any elector, and have not accepted, nor will you accept or receive, directly or indirectly, any money or other valuable thing from any corporation, company or person, or any promise of office, for any official act or influence (for any vote you may give or withhold on any bill, resolution, or appropriation).

Albrecht, Joni	Geist, Suzanne	Quick, Dan
Blood, Carol	Halloran, Steve	Scheer, Jim
Bolz, Kate	Hilgers, Mike	Vargas, Tony
Bostelman, Bruce	Howard, Sara	Walz, Lynne M.
Brewer, Tom	Kolowski, Rick	Watermeier, Dan
Briese, Tom	Linehan, Lou Ann	Wayne, Justin
Chambers, Ernie	Lowe, John S.	Wishart, Anna
Crawford, Sue	McDonnell, Mike	
Erdman, Steve	Murante, John	

The committee escorted the Chief Justice from the Chamber.

**MOTION - Adopt Temporary Rules**

Senator Schumacher moved that the rules, as now in our possession, be adopted for today only, Wednesday, January 4, 2017.

Senator Kuehn requested a roll call vote on the adoption of the temporary rules.

The motion to adopt temporary rules prevailed with 45 ayes, 4 nays, and 0 not voting.

**MOTION - Election of Officers**

Senator Krist moved that the following officers, recommended by the Executive Board, be elected to serve for the One Hundred Fifth Legislature:

Clerk of the Legislature	Patrick J. O'Donnell
Assistant Clerk of the Legislature	Richard K. Brown
Sergeant at Arms	Ron Witkowski

The motion prevailed.

**MOTION - Election of Speaker**

Senator Watermeier moved to proceed to the election of the Speaker of the Legislature.

The motion prevailed.

Senator Williams placed his name in nomination.

Senator Scheer placed his name in nomination.

The Chair declared the nominations closed.

The Chair appointed Senators Schumacher, Bolz, and Hughes as tellers.

Senator Williams	22
Senator Scheer	<u>27</u>
	49

Senator Scheer was duly elected Speaker of the Legislature.

**EASE**

The Legislature was at ease from 10:55 a.m. until 11:10 a.m.





**MOTION - Committee on Committees Members**

Senator Craighead moved to proceed to the election of the remaining twelve members of the Committee on Committees, and that we authorize the members residing within each of the three districts, as enumerated in Rule 3, Sec. 2, to nominate four members to be elected by the legislative body to serve on the Committee on Committees.

The motion prevailed.

Senators Schumacher, Kolterman, Morfeld, and Pansing Brooks were nominated from District 1.

Senators Smith, Harr, Howard, and Hilkemann were nominated from District 2.

Senators Groene, Erdman, Friesen, and Kuehn were nominated from District 3.

Senator Craighead moved the approval of the nominees to the Committee on Committees.

The motion prevailed.

The Chair declared the nominees duly elected.

**MOTION - Chairperson of Executive Board**

Senator Chambers moved to proceed to the election of the Chairperson of the Executive Board of the Legislative Council.

The motion prevailed.

Senator Watermeier placed his name in nomination.

Senator Krist placed his name in nomination.

The Chair declared the nominations closed.

The Chair appointed Senators Albrecht, Crawford, and Friesen as tellers.

Senator Watermeier 28  
Senator Krist 21  
49

Senator Watermeier was duly elected Chairperson of the Executive Board.

**MOTION - Vice Chairperson of Executive Board**

Senator Hilkemann moved to proceed to the election of the Vice Chairperson of the Executive Board of the Legislative Council.

The motion prevailed.

Senator Hughes nominated Senator Kuehn.

Senator Hansen moved the nominations be closed and a unanimous vote by acclamation be cast for Senator Kuehn.

The motion prevailed.

Senator Kuehn was duly elected Vice Chairperson of the Executive Board.

**MOTION - Executive Board Members**

Senator Williams moved to proceed to the election of the other six members of the Executive Board of the Legislative Council as outlined in 50-401.01.

The motion prevailed.

Senators Bolz and Crawford were nominated from District 1.

Senators Chambers and McCollister were nominated from District 2.

Senators Larson and Hughes were nominated from District 3.

Senator Williams moved the approval of the nominees to the Executive Board of the Legislative Council.

The motion prevailed.

The Chair declared the nominees duly elected.

**MOTION - Standing Committee Chairpersons**

Senator Ebke moved to proceed to the election of the standing committee chairpersons, in accordance with Rule 3, Sec. 8(a).

The motion prevailed.

**CHAIRPERSON - Agriculture**

Senator Brasch placed her name in nomination.

Senator Hansen moved the nominations be closed and a unanimous vote by acclamation be cast for Senator Brasch.

The motion prevailed.

Senator Brasch was duly elected Chairperson of the Agriculture Committee.

CHAIRPERSON - Appropriations

Senator Stinner placed his name in nomination.

Senator Hansen moved the nominations be closed and a unanimous vote by acclamation be cast for Senator Stinner.

The motion prevailed.

Senator Stinner was duly elected Chairperson of the Appropriations Committee.

CHAIRPERSON - Banking, Commerce and Insurance

Senator Lindstrom placed his name in nomination.

Senator Hansen moved the nominations be closed and a unanimous vote by acclamation be cast for Senator Lindstrom.

The motion prevailed.

Senator Lindstrom was duly elected Chairperson of the Banking, Commerce and Insurance Committee.

CHAIRPERSON - Business and Labor

Senator Harr placed his name in nomination.

Senator Albrecht placed her name in nomination.

Senator Harr moved for a call of the house. The motion prevailed with 48 ayes, 0 nays, and 1 not voting.

The Chair declared the nominations closed.

The Chair appointed Senators Kuehn, McCollister, and Morfeld as tellers.

Senator Harr	23
Senator Albrecht	<u>26</u>
	49

Senator Albrecht was duly elected Chairperson of the Business and Labor Committee.

The Chair declared the call raised.

CHAIRPERSON - Education

Senator Baker placed his name in nomination.

Senator Groene placed his name in nomination.

The Chair declared the nominations closed.

The Chair appointed Senators Walz, Brasch, and Wayne as tellers.

Senator Baker	21
Senator Groene	<u>28</u>
	49

Senator Groene was duly elected Chairperson of the Education Committee.

CHAIRPERSON - General Affairs

Senator McCollister placed his name in nomination.

Senator Larson placed his name in nomination.

The Chair declared the nominations closed.

The Chair appointed Senators Kolowski, Ebke, and Halloran as tellers.

Senator McCollister	18
Senator Larson	<u>31</u>
	49

Senator Larson was duly elected Chairperson of the General Affairs Committee.

CHAIRPERSON - Government, Military and Veterans Affairs

Senator Murante placed his name in nomination.

Senator Hansen moved the nominations be closed and a unanimous vote by acclamation be cast for Senator Murante.

The motion prevailed.

Senator Murante was duly elected Chairperson of the Government, Military and Veterans Affairs Committee.

CHAIRPERSON - Health and Human Services

Senator Riepe placed his name in nomination.

Senator Howard placed her name in nomination.

The Chair declared the nominations closed.

The Chair appointed Senators Briese, McDonnell, and Hilgers as tellers.

Senator Riepe	27
Senator Howard	<u>22</u>
	49

Senator Riepe was duly elected Chairperson of the Health and Human Services Committee.

CHAIRPERSON - Judiciary

Senator Ebke placed her name in nomination.

Senator Hansen moved the nominations be closed and a unanimous vote by acclamation be cast for Senator Ebke.

The motion prevailed.

Senator Ebke was duly elected Chairperson of the Judiciary Committee.

CHAIRPERSON - Natural Resources

Senator Kolowski placed his name in nomination.

Senator Hughes placed his name in nomination.

The Chair declared the nominations closed.

The Chair appointed Senators Linehan, Quick, and Vargas as tellers.

Senator Kolowski	19
Senator Hughes	<u>30</u>
	49

Senator Hughes was duly elected Chairperson of the Natural Resources Committee.

CHAIRPERSON - Nebraska Retirement Systems

Senator Kolterman placed his name in nomination.

Senator Hansen moved the nominations be closed and a unanimous vote by acclamation be cast for Senator Kolterman.

The motion prevailed.

Senator Kolterman was duly elected Chairperson of the Nebraska Retirement Systems Committee.

CHAIRPERSON - Revenue

Senator Smith placed his name in nomination.

Senator Hansen moved the nominations be closed and a unanimous vote by acclamation be cast for Senator Smith.

The motion prevailed.

Senator Smith was duly elected Chairperson of the Revenue Committee.

CHAIRPERSON - Transportation and Telecommunications

Senator Friesen placed his name in nomination.

Senator Hansen moved the nominations be closed and a unanimous vote by acclamation be cast for Senator Friesen.

The motion prevailed.

Senator Friesen was duly elected Chairperson of the Transportation and Telecommunications Committee.

CHAIRPERSON - Urban Affairs

Senator Crawford placed her name in nomination.

Senator Wayne placed his name in nomination.

The Chair declared the nominations closed.

The Chair appointed Senators Blood, Wishart, and Hilkemann as tellers.

Senator Crawford	19
Senator Wayne	<u>30</u>
	49

Senator Wayne was duly elected Chairperson of the Urban Affairs Committee.

**MOTION - Special and Select Committee Chairpersons**

Senator Lindstrom moved to proceed to the election of the special and select committee chairpersons, in accordance with Rule 3, Sec. 8(a).

The motion prevailed.

CHAIRPERSON - Rules

Senator Hansen placed his name in nomination.

Senator Hilgers placed his name in nomination.

Senator Kuehn requested, pursuant to Article III, Section 11, that the vote for Chairperson of the Rules Committee be taken viva voce and entered into the Journal.

Senator Morfeld raised a point of order on whether the Chair could rule on constitutional provisions.

The Chair ruled Senator Kuehn's request is in order.

Senator Morfeld challenged the ruling of the Chair. The question is, "Shall the Chair be overruled?"

Senator Kintner requested a roll call vote on the motion to overrule the Chair.

The Morfeld motion to overrule the Chair prevailed with 29 ayes, 19 nays, and 1 excused and not voting.

The Chair was overruled.

The Chair declared the nominations closed.

The Chair appointed Senators Lowe, Erdman, and Bostelman as tellers.

Senator Hansen	20
Senator Hilgers	<u>28</u>
	48

Senator Hilgers was duly elected Chairperson of the Rules Committee.

CHAIRPERSON - Enrollment and Review

Senator Hansen nominated Senator Wishart.

Senator Hansen moved the nominations be closed and a unanimous vote by acclamation be cast for Senator Wishart.

The motion prevailed.

Senator Wishart was duly elected Chairperson of the Enrollment and Review Committee.

#### **MOTION - Election Returns**

Senator Murante moved that a committee of three be appointed to escort the Secretary of State to the Chamber to deliver the election returns of the General Election of November 2016.

The motion prevailed.

The Chair appointed Senators Kolowski, Craighead, and Murante to serve on said committee.

The committee escorted Secretary of State, John A. Gale, to the rostrum where he delivered the following report.

#### **REPORT FROM THE SECRETARY OF STATE**

January 4, 2017

Speaker of the Legislature  
One Hundred Fifth Legislature, First Session 2017  
State Capitol  
Lincoln, Nebraska

Honorable Speaker:

In accordance with Article IV, Section 4 of the Constitution of the State of Nebraska, I have the honor of herewith delivering to you, under Seal, the abstract of votes cast in the ninety-three counties of the State of Nebraska at the General Election held on November 8, 2016, for the offices of Members of the Public Service Commission, Regents of the University of Nebraska, Members of the State Board of Education, Chief Justice of the Supreme Court, Supreme Court Justices, Court of Appeals Judges and Nebraska Workers Compensation Judges which votes are required by law to be canvassed by the Nebraska State Legislature, pursuant to Section 32-1039 R.S. Nebraska 1943, Reissue of 2016 as submitted to me for delivery to the Honorable Speaker of the Legislature.

I also deliver to you, under Seal, the list of candidates receiving the highest vote for each particular office enumerated. The certificate of the Secretary of State accompanies this list.

The original abstract sheets containing the tabulation of votes from the ninety-three counties with reference to a Referendum ordered by Petition of the People, Referendum Number 426 is on file in this office. A certification



of these returns is attached.

Inasmuch as these abstract sheets are part of the records of the Office of Secretary of State, we respectfully request that they be returned to our office files immediately upon the completion of your official canvass.

Respectfully submitted,  
(Signed) John A. Gale  
Secretary of State

### **CERTIFICATE**

State of Nebraska

United States of America,	) ss.	Secretary of State
State of Nebraska	)	State Capitol
		Lincoln, Nebraska

I, John A. Gale, Secretary of State of the State of Nebraska do hereby certify that the attached is a true and correct list of the candidates for the offices of Members of the Public Service Commission, Regents of the University of Nebraska, Members of the State Board of Education, Chief Justice of the Supreme Court, Supreme Court Justices, Court of Appeals Judges and Nebraska Workers Compensation Judges receiving the highest number of votes cast at the General Election in the State of Nebraska held on November 8, 2016.

In Testimony Whereof, I have hereunto set my hand and affixed the Great Seal of the State of Nebraska on this date of January 4, 2017.

(SEAL) (Signed) John A. Gale  
Secretary of State

Public Service Commission, District 4 - Rod Johnson  
Public Service Commission, District 5 - Mary Ridder  
Board of Regents of the University of Nebraska, Dist 6 - Paul Kenney  
Board of Regents of the University of Nebraska, Dist 7 - Bob Phares  
State Board of Education - Dist 1 - Patricia A. Koch Johns  
State Board of Education - Dist 2 - Lisa Fricke  
State Board of Education - Dist 3 - Rachel Wise  
State Board of Education - Dist 4 - John Witzel  
Chief Justice of the Supreme Court - Michael G. Heavican  
Supreme Court Justice, District 3 - William B. Cassel  
Supreme Court Justice, District 6 - John F. Wright  
Court of Appeals Judge, District 1 - Riko E. Bishop  
Court of Appeals Judge, District 3 - Francie Riedmann Weis  
Court of Appeals Judge, District 5 - Everett O. Inbody  
Court of Appeals Judge, District 6 - Frankie J. Moore  
Nebraska Workers Compensation Judge - Daniel R. Fridrich  
Nebraska Workers Compensation Judge - James R. Coe  
Nebraska Workers Compensation Judge - John R. Hoffert

**CERTIFICATE**

State of Nebraska

United States of America, ) ss.  
 State of Nebraska )

Secretary of State  
 State Capitol  
 Lincoln, Nebraska

I, John A. Gale, Secretary of State of the State of Nebraska do hereby certify that the attached is a true and correct listing of the Referendum ordered by Petition of the People, Referendum Number 426, showing the number of votes cast at the General Election in the State of Nebraska held on November 8, 2016.

In Testimony Whereof, I have hereunto set my hand and affixed the Great Seal of the State of Nebraska on this date of January 4, 2017.

(SEAL)

(Signed) John A. Gale  
 Secretary of State

2016 General Election  
 Referendum Measure

Referendum ordered by Petition of the People Referendum No. 426:

Shall Legislative Bill 268 enacted by the First Session of the One Hundred Fourth Legislature, the purpose of which is to eliminate the death penalty and change the maximum penalty for the crime of murder in the first degree to life imprisonment.

Retain	320,719
Repeal	494,151

The Secretary of State was escorted from the Chamber.

Senator Crawford moved pursuant to Article IV, Section 4, to approve the report of the Secretary of State and the candidates stated therein be declared duly elected.

The motion prevailed.

**MOTION - Inaugural Ceremonies**

Senator Kolowski moved to arrange to hold the inaugural ceremonies for the newly elected state officials on Thursday, January 5, 2017, at 1:30 p.m.

The motion prevailed.

**COMMUNICATION(S)**

January 4, 2017

Senator Dan Watermeier  
Executive Board Chairperson  
Room 2000, State Capitol Building  
Lincoln NE 68509

Dear Senator Watermeier,

On November 15, 2016, the attached Petition of Qualifications Challenge, contesting the results of the election of the 11th Legislative District, was filed with my office by Mr. John Sciara.

Pursuant to Rule 10, Section 1(d), I am forwarding this petition to you as Chair of the Reference Committee, in order that such matter may be referenced to a specially created committee appointed to consider such challenge.

If you have any questions please do not hesitate to contact my office.

Sincerely,  
(Signed) Patrick J. O'Donnell  
Clerk of the Legislature

**VISITOR(S)**

The Doctor of the Day was Dr. Josue D. Gutierrez from Lincoln.

**ADJOURNMENT**

At 3:10 p.m., on a motion by Speaker Scheer, the Legislature adjourned until 10:00 a.m., Thursday, January 5, 2017.

Patrick J. O'Donnell  
Clerk of the Legislature



**SECOND DAY - JANUARY 5, 2017****LEGISLATIVE JOURNAL****ONE HUNDRED FIFTH LEGISLATURE  
FIRST SESSION****SECOND DAY**

Legislative Chamber, Lincoln, Nebraska  
Thursday, January 5, 2017

**PRAYER**

The prayer was offered by Senator Bolz.

**ROLL CALL**

Pursuant to adjournment, the Legislature met at 10:00 a.m., President Foley presiding.

The roll was called and all members were present except Senator Watermeier who was excused until he arrives.

**CORRECTIONS FOR THE JOURNAL**

The Journal for the first day was approved.

**MOTION - Adopt Temporary Rules**

Senator Hilgers moved that the rules, as now in our possession, be adopted until such time as the permanent rules are adopted pursuant to Rule 2, Section 1; provided that the temporary rules shall not continue after the twelfth legislative day.

The motion prevailed.

**COMMITTEE ON COMMITTEES PRELIMINARY REPORT**

Senator Craighead offered the following Committee on Committees report:

Agriculture (8)

Rm. 2102 - Tuesday

Brasch (C), Albrecht, Blood, Chambers, Halloran, Harr, Krist, Lowe

Appropriations (9)

Rm. 1524 - Monday & Tuesday

Rm. 1003 - Wednesday, Thursday, & Friday

Stinner (C), Bolz, Hilkemann, Kintner, Kuehn, McDonnell, Vargas, Watermeier, Wishart

Banking, Commerce and Insurance (8)

Rm. 1507 - Monday &amp; Tuesday

Lindstrom (C), Baker, Brewer, Craighead, Kolterman, McCollister, Schumacher, Williams

Business and Labor (7)

Rm. 2102 - Monday

Albrecht (C), Chambers, Crawford, Halloran, Hansen, Howard, Lowe

Education (8)

Rm. 1525 - Monday &amp; Tuesday

Groene (C), Ebke, Erdman, Kolowski, Linehan, Morfeld, Pansing Brooks, Walz

General Affairs (8)

Rm. 1510 - Monday

Larson (C), Blood, Brasch, Harr, Krist, Quick, Riepe, Wayne

Government, Military and Veterans Affairs (8)

Rm. 1507 - Wednesday, Thursday, &amp; Friday

Murante (C), Blood, Brewer, Briese, Craighead, Hilgers, Lowe, Wayne

Health and Human Services (7)

Rm. 1510 - Wednesday, Thursday, &amp; Friday

Riepe (C), Crawford, Erdman, Howard, Kolterman, Linehan, Williams

Judiciary (8)

Rm. 1113 - Wednesday, Thursday, &amp; Friday

Ebke (C), Baker, Chambers, Halloran, Hansen, Krist, Morfeld, Pansing Brooks

Natural Resources (8)

Rm. 1525 - Wednesday, Thursday, &amp; Friday

Hughes (C), Albrecht, Bostelman, Geist, Kolowski, McCollister, Quick, Walz

Nebraska Retirement Systems (6)

Rm. 1525 - At call of Chair

Kolterman (C), Bolz, Groene, Kolowski, Lindstrom, Stinner

Revenue (8)

Rm. 1524 - Wednesday, Thursday, &amp; Friday

Smith (C), Brasch, Friesen, Groene, Harr, Larson, Lindstrom, Schumacher

Transportation and Telecommunications (8)

Rm. 1113 - Monday &amp; Tuesday

Friesen (C), Bostelman, Briese, Geist, Hilgers, Hughes, Murante, Smith

Urban Affairs (7)

Rm. 1510 - Tuesday

Wayne (C), Crawford, Hansen, Howard, Larson, Quick, Riepe

Committee on Committees (13)Craighead (C)

District 1:	District 2:	District 3:
Kolterman	Harr	Erdman
Morfeld	Hilkemann	Friesen
Pansing Brooks	Howard	Groene
Schumacher	Smith (VC)	Kuehn

Enrollment and Review (1)

Wishart (C)

Reference (9)

Watermeier (C), Kuehn (VC), Bolz, Chambers, Crawford, Hughes, Larson, McCollister, Scheer, Stinner (nonvoting ex officio)

Rules (6)

Hilgers (C), Harr, Krist, Kuehn, Schumacher, Scheer (ex officio)

Executive Board of the Legislative Council (9)

Watermeier (C), Kuehn (VC), Bolz, Chambers, Crawford, Hughes, Larson, McCollister, Scheer, Stinner (nonvoting ex officio)

**MESSAGES FROM THE GOVERNOR**

May 10, 2016

Mr. President, Speaker Hadley  
and Members of the Legislature  
State Capitol  
Lincoln, NE 68509

Dear Mr. President, Speaker Hadley and Members of the Legislature:

Contingent upon your approval, the following individual is being  
reappointed to the State Racing Commission:

Helen Abbott Feller, 1121 18 Street, Wisner, NE 68791

The aforementioned appointee is respectfully submitted for your  
consideration. Copies of the certificate and background information are  
included for your review.

Sincerely,  
(Signed) Pete Ricketts  
Governor

Enclosures

May 10, 2016

Mr. President, Speaker Hadley  
and Members of the Legislature  
State Capitol  
Lincoln, NE 68509

Dear Mr. President, Speaker Hadley and Members of the Legislature:

Contingent upon your approval, the following individuals are being appointed to the Nebraska Information Technology Commission:

Shane Greckel, 54172 887 Road, Bloomfield, NE 68718  
Daniel Spray, 1005 Woodcrest, Norfolk, NE 68701

The aforementioned appointees are respectfully submitted for your consideration. Copies of the certificates and background information are included for your review.

Sincerely,  
(Signed) Pete Ricketts  
Governor

Enclosures

August 1, 2016

Mr. President, Speaker Hadley  
and Members of the Legislature  
State Capitol  
Lincoln, NE 68509

Dear Mr. President, Speaker Hadley and Members of the Legislature:

Contingent upon your approval, the following individual is appointed as the Chief Medical Officer and Director of the Department of Health and Human Services - Division of Public Health:

Thomas L. Williams, M.D., 17728 Harney Street, Omaha, NE 68118

The aforementioned appointee is respectfully submitted for your consideration. Copies of the certificate and background information are included for your review.

Sincerely,  
(Signed) Pete Ricketts  
Governor

Enclosures



August 31, 2016

Mr. President, Speaker Hadley  
and Members of the Legislature  
State Capitol  
Lincoln, NE 68509

Dear Mr. President, Speaker Hadley and Members of the Legislature:

Contingent upon your approval, the following individual is being appointed to the Nebraska Ethanol Board:

Randy Gard, 3927 Meadow Way Trail, Grand Island, NE 68803

The aforementioned appointee is respectfully submitted for your consideration. Copies of the certificate and background information are included for your review.

Sincerely,  
(Signed) Pete Ricketts  
Governor

Enclosures

August 31, 2016

Mr. President, Speaker Hadley  
and Members of the Legislature  
State Capitol  
Lincoln, NE 68509

Dear Mr. President, Speaker Hadley and Members of the Legislature:

Contingent upon your approval, the following individual is being appointed to the Coordinating Commission for Postsecondary Education:

Gwenn Aspen, 445 N. 61 Street, Omaha, NE 68132

The aforementioned appointee is respectfully submitted for your consideration. Copies of the certificate and background information are included for your review.

Sincerely,  
(Signed) Pete Ricketts  
Governor

Enclosures

August 31, 2016

Mr. President, Speaker Hadley  
and Members of the Legislature  
State Capitol  
Lincoln, NE 68509

Dear Mr. President, Speaker Hadley and Members of the Legislature:

Contingent upon your approval, the following individuals are being reappointed to the Crime Victim's Reparation Committee:

Joe P. Kelly, County Attorney's Office, 575 S. 10 Street, Lincoln, NE 68508  
Rita G. Sanders, City of Bellevue, 210 W. Mission Avenue, Bellevue, NE 68005  
Jeffrey Davis, Sarpy County Sheriff's Office, 8335 Platteview Road,  
Papillion, NE 68046

The aforementioned appointees are respectfully submitted for your consideration. Copies of the certificates and background information are included for your review.

Sincerely,  
(Signed) Pete Ricketts  
Governor

Enclosures

August 31, 2016

Mr. President, Speaker Hadley  
and Members of the Legislature  
State Capitol  
Lincoln, NE 68509

Dear Mr. President, Speaker Hadley and Members of the Legislature:

Contingent upon your approval, the following individual is being reappointed to the Technical Advisory Committee on Statewide Assessment:

Chad W. Buckendahl, Ph.D., 2467 Cordoba Bluff Ct., Las Vegas, NV 89135

The aforementioned appointee is respectfully submitted for your consideration. Copies of the certificate and background information are included for your review.

Sincerely,  
(Signed) Pete Ricketts  
Governor

Enclosures

August 31, 2016

Mr. President, Speaker Hadley  
and Members of the Legislature  
State Capitol  
Lincoln, NE 68509

Dear Mr. President, Speaker Hadley and Members of the Legislature:

Contingent upon your approval, the following individuals are being appointed to the Motor Vehicle Industry Licensing Board:

Dennis Schworer, 417 Ridgewood Drive, Bellevue, NE 68005  
Stephen Budke, 920 Dillon Circle, North Platte, NE 69101

Also, contingent upon your approval, the following individual is being reappointed to the Motor Vehicle Industry Licensing Board:

William Ashburn, 4608 Hawthorne Drive, Lincoln, NE 68516

The aforementioned appointees are respectfully submitted for your consideration. Copies of the certificates and background information are included for your review.

Sincerely,  
(Signed) Pete Ricketts  
Governor

Enclosures

December 9, 2016

Mr. President, Speaker Hadley  
and Members of the Legislature  
State Capitol  
Lincoln, NE 68509

Dear Mr. President, Speaker Hadley and Members of the Legislature:

Contingent upon your approval, the following individuals are being reappointed to the Child Abuse Prevention Fund Board:

Lisa Knoche, 3440 S. 39 Street, Unit B, Lincoln, NE 68506  
Mary Beth Hanus, 12619 Orchard Avenue, Omaha, NE 68104

The aforementioned appointees are respectfully submitted for your consideration. Copies of the certificates and background information are included for your review.

Sincerely,  
(Signed) Pete Ricketts  
Governor

Enclosures

December 9, 2016

Mr. President, Speaker Hadley  
and Members of the Legislature  
State Capitol  
Lincoln, NE 68509

Dear Mr. President, Speaker Hadley and Members of the Legislature:

Contingent upon your approval, the following individual is being appointed to the State Personnel Board:

Mary Shanahan, 4930 South 72nd Street, Lincoln, NE 68516

The aforementioned appointee is respectfully submitted for your consideration. Copies of the certificate and background information are included for your review.

Sincerely,  
(Signed) Pete Ricketts  
Governor

Enclosures

December 15, 2016

Mr. President, Speaker Hadley  
and Members of the Legislature  
State Capitol  
Lincoln, NE 68509

Dear Mr. President, Speaker Hadley and Members of the Legislature:

Contingent upon your approval, the following individual is being appointed to the Nebraska Arts Council:

Stephen Bader, 14724 O Circle, Omaha, NE 68137

Also, contingent upon your approval, the following individuals are being reappointed to the Nebraska Arts Council:

Paula L. Pflueger, 11811 Koenigstein Avenue, Norfolk, NE 68701  
Reven Wright, 21 Red Fox Lane, Kearney, NE 68845  
Melissa Marvin, 15928 Lake Street, Omaha, NE 68116

Candy Henning, 6015 The Knolls, Lincoln, NE 68512

The aforementioned appointees are respectfully submitted for your consideration. Copies of the certificates and background information are included for your review.

Sincerely,  
(Signed) Pete Ricketts  
Governor

Enclosures

January 3, 2017

Mr. President, Speaker Hadley  
and Members of the Legislature  
State Capitol  
Lincoln, NE 68509

Dear Mr. President, Speaker Hadley and Members of the Legislature:

Contingent upon your approval, the following individual is being appointed to the Nebraska Tourism Commission:

Mitch Glidden, 507 SW 1st Street, Mullen, NE 69152

Also, contingent upon your approval, the following individuals are being reappointed to the Nebraska Tourism Commission:

Roger Dixon, 16641 Howard Circle, Omaha, NE 68118  
Carol Schlegel, 37785 Road 721, Culberston, NE 69024  
Tony Moody, 7956 S. 171 Street, Omaha, NE 68136

The aforementioned appointees are respectfully submitted for your consideration. Copies of the certificates and background information are included for your review.

Sincerely,  
(Signed) Pete Ricketts  
Governor

Enclosures

January 3, 2017

Mr. President, Speaker Hadley  
and Members of the Legislature  
State Capitol  
Lincoln, NE 68509

Dear Mr. President, Speaker Hadley and Members of the Legislature:

Contingent upon your approval, the following individual is being appointed to the Nebraska State Fair Board:

Dennis Hoffman, 301 Main Street, Thedford, NE 69166

The aforementioned appointee is respectfully submitted for your consideration. Copies of the certificate and background information are included for your review.

Sincerely,  
(Signed) Pete Ricketts  
Governor

Enclosures

January 3, 2017

Mr. President, Speaker Hadley  
and Members of the Legislature  
State Capitol  
Lincoln, NE 68509

Dear Mr. President, Speaker Hadley and Members of the Legislature:

Contingent upon your approval, the following individuals are being appointed to the Game and Parks Commission:

James Ernst, 11 Wildwood Drive, Columbus, NE 68601  
Henry Rick Brandt, 17851 South 12th Street, Roca, NE 68430

Also, contingent upon your approval, the following individual is being reappointed to the Game and Parks Commission:

Patrick Berggren, 1109 South 5th Avenue, Broken Bow, NE 68822

The aforementioned appointees are respectfully submitted for your consideration. Copies of the certificates and background information are included for your review.

Sincerely,  
(Signed) Pete Ricketts  
Governor

Enclosures

**ATTORNEY GENERAL'S OPINION**Opinion 16-010

TO: Senator Mike Groene  
Nebraska Legislature

FROM: Douglas J. Peterson, Attorney General  
L. Jay Bartel, Assistant Attorney General

RE: Propriety of the Use of Tax Increment Financing for the Acquisition, Planning and Preparation for Development of Undeveloped Vacant Land Under Neb. Rev. Stat. § 18-2123 (2012).

Neb. Rev. Stat. § 18-2123 (2012) provides, in part, that "[u]pon a determination, by resolution, of the governing body of the city in which such land is located, that the acquisition and development of undeveloped vacant land, not within a substandard or blighted area, is essential to the proper clearance or redevelopment of substandard or blighted areas or a necessary part of the general community redevelopment program of the city,..., the acquisition, planning, and preparation for development or disposal of such land shall constitute a redevelopment project which may be undertaken by the authority...." During the recent legislative session, you introduced LB 719, which proposes to amend § 18-2123 to provide that "[t]ax-increment financing as provided in section 18-2147 shall not be used for the acquisition, planning, and preparation for development or disposal of undeveloped vacant land as described in subsection (1) of [§ 18-2123], nor shall undeveloped vacant land be declared or designated blighted and substandard to qualify for the use of tax-increment financing." LB 719, § 1. You have requested our opinion as to whether tax increment financing may currently be used for the acquisition, planning, and preparation for development of undeveloped vacant land authorized under § 18-2123, and, if so, whether use of tax increment financing for this purpose is consistent with Neb. Const. art. VIII, § 12.

At the outset, we note it is our long-standing policy not to provide opinions to members of the Legislature on the interpretation or constitutionality of existing statutes. Op. Att'y Gen. No. 157 (Dec. 24, 1985). Accordingly, we normally would decline to provide an opinion on the question presented. As you have proposed legislation which could be impacted by our conclusion, we will proceed to respond to your question.

**A. Community Development and Tax Increment Financing ["TIF"]**

The Community Development Law, Neb. Rev. Stat. §§ 18-2101 to 18-2144 (2012 and Cum. Supp. 2014) ["CDL"] generally "authorizes a city to define and acquire substandard or blighted areas and redevelop them in

accordance with an approved redevelopment plan which in turn shall conform to the general plan for the municipality as a whole." *Monarch Chemical Works, Inc. v. City of Omaha*, 203 Neb. 33, 36, 277 N.W.2d 423, 425 (1979). Cities or villages may create a division or department to function as a community development agency, or may establish a Community Redevelopment Authority ["CRA"] to prepare and carry out redevelopment plans for areas which have been declared substandard and blighted. Neb. Rev. Stat. §§ 18-2101.01, 18-2102 and 18-2102.01 (2012). After a redevelopment plan has been prepared and approved, a CRA may contract with redevelopers regarding the use of property for residential, commercial, industrial, or recreational purposes or other public purposes within a community development area in accordance with the redevelopment plan, and "provide grants, loans, or other means of financing to public or private parties in order to accomplish the rehabilitation or redevelopment in accordance with the redevelopment plan." Neb. Rev. Stat. § 18-2107(4) (2012). Section 18-2123 of the CDL provides:

Upon a determination, by resolution, of the governing body of the city in which such land is located, that the acquisition and development of undeveloped vacant land, not within a substandard or blighted area, is essential to the proper clearance or redevelopment of substandard or blighted areas or a necessary part of the general community redevelopment program of the city, or that the acquisition and development of land outside the city, but within a radius of three miles thereof, is necessary or convenient to the proper clearance or redevelopment of one or more substandard or blighted areas within the city or is a necessary adjunct to the general community redevelopment program of the city, the acquisition, planning, and preparation for development of such land shall constitute a redevelopment project which may be undertaken by the authority in the manner provided in the foregoing sections.

Redevelopment projects may be funded by the use of "Tax Increment Financing" ["TIF"], which allows the increased property taxes generated by the redevelopment to be used to finance the redevelopment. Neb. Rev. Stat. §§ 18-2147 to 18-2153 (2007); 350 N.A.C. § 18.001.01. After a redevelopment project is approved, the city or CRA may issue TIF bonds to finance the project. *See* Neb. Rev. Stat. § 18-2124(3) (2012). A redevelopment plan may provide that real property taxes in a redevelopment project shall be divided "for a period not to exceed fifteen years after the effective date of such provision. . . ." Neb. Rev. Stat. § 18-2147(1) (2012). Taxing entities can levy taxes on real property in the project on the redevelopment project valuation, also known as the base value, which means "the assessed valuation on the taxable property in a redevelopment project last certified to the political subdivisions in the year prior to the effective date of the provision authorizing the dividing of ad valorem tax pursuant to" Neb. Rev. Stat. §§ 18-2103(21) and 18-2147 (2012). 310 N.A.C. § 18.002.15. The portion of tax assessed on real property in the



redevelopment project in excess of the base value for the current year, the redevelopment project excess valuation, is accounted for separately and used to pay off the financing or debt incurred for the project for a period not to exceed fifteen years. Neb. Rev. Stat. § 18-1247(1)(b) (2012). Notice of the provision for dividing taxes must be sent by the city or CRA to the county assessor on or before August 1 in the calendar year that the division of real property taxes is to become effective. Neb. Rev. Stat. § 18-2147(3) (2012); 350 N.A.C. § 18.003.03.

#### **B. Constitutional Authorization of TIF**

In 1978, a constitutional amendment was presented to voters to approve authorizing cities and villages to issue bonds and other evidence of indebtedness to acquire and redevelop substandard and blighted property in a redevelopment project, and to pledge and apply to pay off such indebtedness all taxes levied on the value of real property in excess of the prior year's valuation on property in the project area for a period not to exceed fifteen years. 1978 Neb. Laws, LB 469, § 1. The amendment was adopted and became Neb. Const. art. VIII, § 12. In 1984, this provision was amended to allow cities and villages to incur indebtedness to rehabilitate substandard and blighted property, in addition to permitting acquisition and redevelopment. 1984 Neb. Laws, LR 227. An amendment altering the financing provisions relating to redevelopment of substandard and blighted property by further defining the project area was approved in 1988. 1987 Neb. Laws, LR 11. Neb. Const. art. VIII, § 12, currently provides as follows:

For the purpose of rehabilitating, acquiring, or redeveloping substandard and blighted property in a redevelopment project as determined by law, any city or village of the state may, notwithstanding any other provision in the Constitution, and without regard to charter limitations and restrictions, incur indebtedness, whether by bond, loans, notes, advance of money, or otherwise. Notwithstanding any other provision in the Constitution or local charter, such cities or villages may also pledge for and apply to the payment of the principal, interest, and any premium on such indebtedness all taxes levied by all taxing bodies, which taxes shall be at such rate for a period not to exceed fifteen years, on the assessed valuation of the property in the project area portion of a designated blighted and substandard area that is in excess of the assessed valuation of such property for the year prior to such rehabilitation, acquisition, or redevelopment.

When such indebtedness and the interest thereon have been paid in full, such property thereafter shall be taxed as is other property in the respective taxing jurisdictions and such taxes applied as all other taxes of the respective taxing bodies.

### C. Analysis

Section 18-2123 authorizes the acquisition, planning, and preparation for development of undeveloped vacant land as a redevelopment project where the land "is not within a substandard or blighted area." As Neb. Const. art. VIII, § 12, authorizes the use of TIF based "on the assessed valuation of the property in the project area portion of a designated blighted and substandard area that is in excess of the assessed valuation of such property for the year prior to [ ] rehabilitation, acquisition, or redevelopment", the issue is whether TIF can be used in connection with the acquisition and development of undeveloped vacant land under § 18-2123 since such land is not within an area designated as "blighted and substandard."

The Nebraska Supreme Court has recognized the following general rules governing the interpretation of constitutional provisions:

The intent and understanding of [the] framers [of a constitutional provision] and the people who adopted it as expressed in the instrument is the main inquiry in construing it. . . . The words of a constitutional provision will be interpreted and understood in their most natural and obvious meaning unless the subject indicates or the text suggests they are used in a technical sense. The court may not supply any supposed omission, or add words to or take words from the provision as framed. It must be construed as a whole, and no part will be rejected as meaningless or surplusage, if it can be avoided. If the meaning is clear, the court will give to it the meaning that obviously would be accepted and understood by the layman. . . . It is permissible to consider the facts of history in determining the meaning of the language of the Constitution. . . . It is also appropriate and helpful to consider, in connection with the historical background, the evil and mischief attempted to be remedied, the objects sought to be accomplished, and the scope of the remedy its terms imply.

*State ex rel. Spire v. Beermann*, 235 Neb. 384, 389-90, 455 N.W.2d 749, 752 (1990) (quoting *State ex rel. State Railway Comm'n v. Ramsey*, 151 Neb. 333, 340-41, 37 N.W.2d 502, 508 (1949) (citations omitted)).

As noted previously, art. VIII, § 12, was added to the Nebraska Constitution in 1978. As originally approved by the voters, the amendment provided that cities or villages could acquire and develop "substandard or blighted property" in a redevelopment project, and issue bonds or other evidence of indebtedness for the redevelopment to be repaid by property taxes on the assessed value of the property in excess of the assessed value for the year prior to acquisition and redevelopment for a period not to exceed fifteen years. 1978 Neb. Laws LB 469, § 1. A 1984 amendment, however, removed the word "or" between "substandard" and "blighted", replacing the word with "and". 1984 Neb. Laws LR 227, § 1. This is consistent with the CDL, which refers to development or redevelopment of

"substandard and blighted areas". See Neb. Rev. Stat. §§ 18-2102 (2012) (Declaring intent to allow cities and villages to renew "substandard and blighted areas"); 18-2103(20) (Cum. Supp. 2014) (Defining community redevelopment area as "a substandard and blighted area which the community redevelopment authority designates as appropriate for a renewal project"); 18-2107(4) (2012) (Granting CRAs various powers to rehabilitate or redevelop "substandard and blighted areas"); 18-2109 (2012) (Requiring redevelopment project area be designated as a "substandard and blighted area" prior to preparation of a redevelopment plan.).<sup>1</sup> The plain language of both art. VIII, § 12, and the CDL, requires limiting the use of TIF to fund redevelopment projects only if they are included in an area designated as "substandard and blighted". Accordingly, on its face, the use of TIF for the acquisition, planning, and preparation for development of undeveloped vacant land that is not within a substandard and blighted area under § 18-2123 would appear to be inconsistent with art. VIII, § 12.

In analyzing this question, however, it is necessary to consider the impact of the Nebraska Supreme Court's decision in *Fitzke v. City of Hastings*, 255 Neb. 46, 582 N.W.2d 301 (1998) [*Fitzke*]. In *Fitzke*, owners of property located near an area within the City of Hastings ["City"] challenged the City's determination that undeveloped agricultural land added to an existing redevelopment area was blighted and substandard, and granting the use of TIF for development of a campground on the land. Based on a "Blight and Substandard Determination Study" prepared by a consultant retained by the City's CRA, the City declared a portion of the City [Area 7] "blighted and substandard" and approved a redevelopment plan for the area. 255 Neb. at 48, 582 N.W.2d at 305. City officials were approached by a person with a plan to develop a campground on an undeveloped parcel of property in the northern part of the City which was being used as a cornfield. The proposed campground site was located outside of Area 7. *Id.* The consulting firm that performed the original blighted and substandard study for Area 7 could not conclude that the additional land met such criteria, but recommended it be included in Area 7. The City Council approved a resolution to add the land and "declare the expanded Area 7 as blighted and/or substandard." *Id.* at 49, 582 N.W.2d at 305. The CRA modified the Area 7 redevelopment plan to provide for development of a campground in the area added by the resolution, and, as an incentive, approved a grant to the developer to be repaid through TIF. *Id.* at 50, 582 N.W.2d at 305. The CRA then entered into a redevelopment contract for construction of the campground. *Id.*, 582 N.W.2d at 306.

The *Fitzke*'s and other owners of property near the proposed campground challenged the legality of including the campground site in Area 7, and the

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<sup>1</sup> The terms "Substandard areas" and "Blighted area" are defined, respectively, in Neb. Rev. Stat. § 18-2103(10) and (11) (Cum. Supp. 2014).

grant of TIF. *Id.* at 50-51, 582 N.W.2d at 306. The trial court found the addition of land to Area 7 was improper because "[l]and may not be added to an existing redevelopment area unless it is established that the additional land is itself blighted or substandard." *Id.* at 51, 582 N.W.2d at 306. The trial court further determined that, "[u]nless necessary to relieve blight or substandard conditions on a specific site the mere incorporation of land into a redevelopment area is not sufficient to qualify the land for a blight or substandard designation...", and that there was "no showing that the proposed development would eliminate any identifiable blight or substandard condition." *Id.* Ultimately, the trial court concluded that the blighted and substandard designation of the expanded Area 7 was "contrary to the specific limitations of the relevant statutes of the State of Nebraska and [was] invalid...", and rescinded the redevelopment contract, declaring it "void from its inception." *Id.*

On appeal, the Nebraska Supreme Court addressed the propriety of the trial court's finding that the blighted and substandard designation was invalid, and its determination that the redevelopment contract and grant of TIF were therefore void. Discussing the CDL generally, the court recognized that "statutes similar to the CDL have been interpreted as applying to areas rather than individual properties, and courts have refused to invalidate blight determinations with respect to an area merely because a single parcel within the area would not be considered blighted if viewed in isolation." 255 Neb. at 58, 582 N.W.2d at 310. Indeed, the court recognized it "acknowledged this 'area rule' in" a prior case. *Id.* (citing *Monarch Chemical Works, Inc. v. City of Omaha*, 203 Neb. 33, 41, 277 N.W.2d 423, 428 (1979)).

Noting it was "undisputed" that the land which included the proposed campground site "consisted of undeveloped land used exclusively as a cornfield prior to its incorporation in Area 7...", and that the CRA's "consultant was unable to state that this parcel was itself blighted or substandard within the meaning of the CDL...", the court found that, "in light of the area rule", it "disagreed with the conclusion of the district court that land may not be added to an existing redevelopment area unless the additional land is itself blighted or substandard." *Id.* at 59-60, 582 N.W.2d at 310-11. The court stated that "[t]he CDL does not specifically address the question of the incorporation of territory into an existing community development area which has previously been declared blighted or substandard." *Id.* at 59, 582 N.W.2d at 311. Prior to addressing this question, the court discussed various provisions of the CDL, including: (1) identification of a community development area declared to be substandard and blighted; (2) formulation of a redevelopment plan for the area; and (3) implementation of the redevelopment by means such as acquisition, sale, leasing, and contracting for redevelopment. *Id.* at 60, 582 N.W.2d at 311. Included in the court's discussion was reference to § 18-2123, which it stated "provides that undeveloped and vacant land situated within a city but not within a substandard or blighted area may not constitute a

redevelopment project under the CDL unless the governing body of the city first determines by resolution that such land 'is essential to the proper clearance or redevelopment of substandard or blighted areas or is a necessary part of the general community redevelopment program of the city.'" *Id.* at 61, 582 N.W.2d at 311.

Following this discussion of the CDL, the court stated:

Under this statutory scheme, a private development project would be eligible for tax increment financing only if it is included within an area which has previously been declared blighted or substandard and is in furtherance of an existing redevelopment plan for that area. The declaration of property as blighted or substandard is not simply a formality which must be met in order to assist a private developer with tax increment financing; it is the recognition of a specific public purpose which justifies the expenditure of public funds for redevelopment....If a private development project is ineligible for tax increment financing because it is located on land which is not blighted or substandard within the meaning of the CDL, it logically follows that eligibility could not be created by simply incorporating the project site into an adjacent area which has been declared blighted or substandard and revising the redevelopment plan for that area to include the project. Such a result would be contrary to the legislative intent underlying the CDL, which is to eliminate blighted and substandard urban areas through a cooperative effort of the public and private sectors, not to aid private developers. We therefore hold that under the CDL, land cannot be added to an existing community redevelopment area unless (1) the additional land is declared blighted or substandard within the meaning of the CDL *or* (2) the additional land is reasonably necessary to accomplish the implementation of the existing redevelopment plan. *Id.* at 61, 582 N.W.2d at 311-12 (citations omitted) (emphasis in original).

Applying this test, the court noted it was undisputed that the land which included the campground site "was not itself blighted or substandard within the meaning of the CDL...", and that the district court found there was "no showing that the proposed development would eliminate any identifiable blight or substandard condition" of Area 7. *Id.* at 62, 582 N.W.2d at 312. The record also did not show "that the incorporation of this tract into Area 7 was reasonably necessary to carry out the redevelopment plan for Area 7...." Further, "the record contain[ed] no facts establishing that the development of the campground was necessary for the elimination of blight and substandard conditions in the original Area 7, pursuant to the original redevelopment plan." *Id.* In view of these facts, the court concluded that, "[w]hile construction and operation of the campground may have been a desirable economic development for Hastings, this factor alone [did] not justify incorporating the campground site into an existing redevelopment area to permit the use of tax increment financing as an incentive to the developer." *Id.* The court thus affirmed the district court's finding that the

expansion of Area 7 to include the campground was arbitrary and not supported by the evidence, and its determination that the redevelopment contract authorizing the TIF grant "was invalid and void ab initio." *Id.*

*Fitzke* establishes that undeveloped land may be added to a redevelopment area if it is either declared "blighted and substandard" or is "reasonably necessary to accomplish" implementation of an existing redevelopment plan. Section 18-2123 authorizes the governing body of a city to acquire and develop undeveloped vacant land within the city, even though it is not in a substandard or blighted area, if the governing body determines by resolution that it "is essential to the proper clearance or redevelopment of substandard or blighted areas or a necessary part of the general community development program of the city...." The requirement that the acquisition or development of the undeveloped vacant land be "essential" to redevelopment or "a necessary part" of the city's community development program is akin to the test announced by the court in *Fitzke*, which recognizes that, if undeveloped land is not itself substandard and blighted, it can be included in a redevelopment area (and thus be eligible for TIF) if it is "reasonably necessary" to implementation of an existing redevelopment plan.<sup>2</sup> Accordingly, the use of TIF for the purposes set out in § 18-2123 may be deemed proper for undeveloped vacant land which is not within a substandard and blighted area, provided the land is "essential" to redevelopment of substandard or blighted areas or a "necessary part" of the community redevelopment program.<sup>3</sup>

### CONCLUSION

Neb. Const. art. VIII, § 12, authorizes the use of TIF "for the purpose of rehabilitating, acquiring, or redeveloping substandard and blighted property in a redevelopment project" within "a designated blighted and substandard

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<sup>2</sup> Of course, if undeveloped vacant land is within a substandard and blighted area, § 18-2123 is not applicable. Also, if undeveloped vacant land is declared substandard and blighted under § 18-2109 as part of a redevelopment plan for a redevelopment project area, the TIF authorization contained in § 18-2147 would apply. We express no opinion as to whether undeveloped or vacant land may be declared substandard and blighted.

<sup>3</sup> Section 18-2123 also authorizes "the acquisition and development of land outside the city, but within a radius of three miles thereof, [which] is necessary or convenient to the proper clearance or redevelopment of one or more substandard or blighted areas within the city or is a necessary adjunct to the general community redevelopment program of the city...." Given the similar "necessity" requirement for the acquisition and development of land outside the city limits in this portion of the statute, this presumably also authorize the use of TIF in connection land acquired for these purposes.

area." As § 18-2123 relates to acquisition or development of undeveloped vacant land which is "not within a substandard or blighted area", applying the literal language of art. VIII, § 12, appears to foreclose the use of TIF in relation to the acquisition, planning, and preparation for development of such land as a redevelopment project. In *Fitzke*, however, the Nebraska Supreme Court held that, under the CDL, land cannot be added to an existing community redevelopment area and qualify for TIF unless "(1) the additional land is declared blighted or substandard within the meaning of the CDL or (2) the additional land is reasonably necessary to accomplish the implementation of the existing redevelopment plan." 255 Neb. at 61, 582 N.W.2d at 312 (emphasis in original). The requirement in § 18-2123 that the acquisition or development of the undeveloped vacant land be "essential" to redevelopment or "a necessary part" of the city's community development program is akin to the test announced by the court in *Fitzke* recognizing that, if undeveloped land is not itself substandard and blighted, it can be included in a redevelopment area (and thus be eligible for TIF) if it is "reasonably necessary" to implementation of an existing redevelopment plan. Accordingly, despite the "substandard and blighted" requirement in art. VIII, § 12, the *Fitzke* decision indicates that the use of TIF for the purposes set out in § 18-2123 may be proper for undeveloped vacant land which is not within a substandard and blighted area, provided the land is "essential" to redevelopment of substandard and blighted areas or a "necessary part" of the community redevelopment program. As the question of whether TIF may be used in connection with the acquisition, planning, preparation, and development of undeveloped vacant land under § 13-2123 is not certain, you may wish to pursue clarifying legislation.<sup>4</sup>

Very truly yours,  
Douglas J. Peterson  
Attorney General  
(Signed) L. Jay Bartel  
Assistant Attorney General

pc Patrick J. O'Donnell  
Clerk of the Nebraska Legislature

07-1062-29

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<sup>4</sup> LB 719, of course, is not limited to amending § 18-2123 to provide that TIF may not be used for the acquisition, planning, and preparation for development of undeveloped vacant land under the limited circumstances set out in that statute. It would, in addition, provide that no undeveloped vacant land can "be declared or designated blighted and substandard to qualify for the use of" TIF.

**REPORTS**

Agency reports electronically filed with the Legislature can be found on the Nebraska Legislature's website at:

<http://www.nebraskalegislature.gov/agencies/view.php>

**COMMUNICATION(S)**

Received a copy of Senate Joint Resolution 4, Sections 3 and 8, from the state of Oklahoma calling for a convention of the states under Article V of the United States Constitution for the purpose of proposing amendments to the United States Constitution related to balancing the federal budget, imposing fiscal restraints on the federal government, limiting the power and jurisdiction of the federal government, and limiting the terms of office for its officials and for members of Congress.

**2016 INTERIM REPORT  
ON THE DISPOSITION OF  
INTERIM STUDY RESOLUTIONS**

Agriculture

LR	Subject	Completed Report Issued	Completed No Report Issued	Deferred
498	Study Nebraska Right to Farm Act		X	
535	Study means to assist livestock producers marketing in direct and regional markets			X
536	Study to investigate means to reduce conflict between pesticide use and sensitive crops	X		
537	Study animal ID authorities of the Department of Agriculture			X
569	Study means to fund a grant program authorized under the Livestock Growth Act			X
570	Study Activities of the Department of Agriculture with respect to an ag promotion and development program authorized by §2-3815			X
573	Study to examine the history and current commercial activity with respect to industrial hemp			X
595	Study to examine food deserts		X	



598	Study to examine copyright barriers to ownership privileges and provision of repair services for ag machinery and equipment and other consumer items			X
612	Study issues within the jurisdiction of the Agriculture Committee (Nebraska Brand Committee)		X	

## Appropriations

LR	Subject	Completed Report Issued	Completed No Report Issued	Deferred
502	Interim study to examine the use of revolving funds within the Dept. of Administrative Services	X		
509	Interim study to examine the funding history, programs, and services offered by the Cooperative Extension Service of the University of Nebraska			X
517	Interim study to examine the long-term fiscal sustainability of the Nebraska Health Care Cash Fund	X		
552	Interim study to develop a plan to address funding and budgetary issues relating to climate change		X	
577	Interim study to examine issues under the jurisdiction of the Appropriations Committee		X	
580	Interim study to examine the Dept. of Health and Human Services' policies for dealing with disallowances and audit exceptions by the federal government which have resulted in large fines and having to return money to the federal government		X	
588	Interim study to determine best practices in drafting tax legislation and determining the fiscal impact of tax policies		X	

## Banking, Commerce and Insurance

LR	Subject	Completed Report Issued	Completed No Report Issued	Deferred
430	Interim study to examine whether the Nebraska Banking Act should be updated		X	
431	Interim study to examine whether the Securities Act of Nebraska should be updated		X	
493	Interim study to examine whether the Nebraska Appraisal Management Company Registration Act should be updated		X	
508	Interim study to examine possible changes to the Nebraska Model Business Corporation Act		X	
521	Interim study to examine the business practices of pharmacy benefit managers as those practices relate to such managers' arrangements with private entities, insurers, pharmacies, and the State of Nebraska			X
554	Interim study to examine information regarding air ambulance costs			X
591	Interim study to examine and make recommendations on improving health care coverage plans available to Nebraska small businesses with fifty or less employees			X

## Business and Labor

LR	Subject	Completed Report Issued	Completed No Report Issued	Deferred
512	Interim study to examine the Commission of Industrial Relations		Hearing held Oct. 21, 2016	
520	Interim study to provide a review of the administration and enforcement of the Employee Classification Act by the Dept. of Labor			X

533	Interim study to examine promoting career education and training that can lead to job readiness for middle-skill jobs		Hearing held Oct. 21, 2016	
556	Interim study to examine the conveyances currently covered by the Conveyance Safety Act			X

## Education

LR	Subject	Completed Report Issued	Completed No Report Issued	Deferred
587	Interim study to examine the issues within the jurisdiction of the Education Committee		X	
564	Interim study to examine education in Nebraska		X	
586	Interim study to examine the effects of transferring public school employees from the system of district-based health insurance plans to the Nebraska State Insurance Program		X	
559	Interim study to examine the feasibility and impact of implementing the Civics Education Initiative in Nebraska through legislation or in partnership with the State Board of Education			X
581	Interim study to examine the positive and negative effects of federal education funding if Nebraska would choose not to accept federal funds that are tied to federal mandates			X

## General Affairs

LR	Subject	Completed Report Issued	Completed No Report Issued	Deferred
541	Interim study to examine the economic benefits of keno		X	
542	Interim study to examine the issues within the jurisdiction of the General Affairs Committee		X	

567	Interim study to examine and review the sale of alcohol in Whiteclay and the need for additional funding for law enforcement		X	
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## Government, Military and Veterans Affairs

LR	Subject	Completed Report Issued	Completed No Report Issued	Deferred
504	Interim study to examine the numerous deadlines involved in the election process		X	
530	Interim study to examine the voting processes and procedures available for citizens who are hospitalized or who reside in nursing homes or extended care facilities		X	
557	Interim study to examine what actions the State of Nebraska needs to take to meet the United States Department of Defense's mandates regarding energy and renewable resources		X	
558	Interim study to evaluate the governance structure of the Nebraska Educational Telecommunications Commission		X	
583	Interim study to examine administrative law judges in Nebraska		X	
596	Interim study to examine issues within the jurisdiction of the Government, Military & Veterans Affairs Committee		X	
597	Interim study to examine financing mechanisms available to various political subdivisions to issue bonds or assume future payment obligations without a direct vote of taxpayers		X	

## Health and Human Services

LR	Subject	Completed Report Issued	Completed No Report Issued	Deferred
397	Interim study to monitor the health care transformation in Nebraska			X
412	Interim study to improve communication access for movie theaters in Nebraska to ensure all persons can fully experience the movie theater experience			X
415	Urge the Nebraska congressional delegation to support and co-sponsor Senate Bill 1989 entitled Primary Care Enhancement Act of 2015			X
463	Interim study to examine ways to improve the coverage of hearing aid costs for Nebraska families			X
499	Interim study to examine any issues within the jurisdiction of the Health and Human Services Committee		X	
507	Interim study to examine the development of a public notification system to broadcast alerts when vulnerable adults go missing		X	
510	Interim study to examine how to best integrate palliative care into the overall medical care structure of our health care system			X
513	Interim study to examine workforce issues within the child welfare and juvenile justice systems		X	
514	Interim study to examine the availability of transition services for youth who will leave or have left the juvenile justice system while in an out-of-home placement	X		

522	Interim study to examine the issue of how to best educate the public and create awareness about the risks associated with sun exposure and ultraviolet radiation exposure			X
523	Interim study to examine Nebraska law regarding the protection of children who have reached eighteen years of age but have not yet reached the age of majority		X	
529	Interim study to examine the ongoing implementation of the federal Preventing Sex Trafficking and Strengthening Families Act of 2014 and related state law and policy		X	
544	Interim study to examine the alternative response demonstration projects created in LB 853, 2014			X
545	Interim study to examine medicaid and the Children's Health Insurance Program, with an emphasis on children that are eligible but unenrolled in these programs			X
548	Interim study to examine issues surrounding youth tobacco use			X
551	Interim study to explore and assess the use of congregate care in Nebraska for youth in the child welfare and juvenile justice systems			X
553	Interim study to examine issues surrounding the Medicaid Reform Council			X
572	Interim study to examine issues surrounding the Division of Veterans' Homes of the Dept. of Health and Human Services and wait times for admission to the veterans' homes system			X
574	Interim study to examine aspects of Nebraska's medicaid program that include share of cost or resource spend down components			X

575	Interim study to continue the ongoing study of access to healthcare in Nebraska			X
582	Interim study to examine how, through better coordination of health services, the state can better assist low-income individuals currently without insurance			X
590	Interim study to examine options to offer incentives to health care professionals who provide free care and services to qualified recipients			X
602	Interim study to examine existing barriers to the delivery of health care services through telehealth technologies in Nebraska			X
603	Interim study to examine the issues faced by residents of mobile home communities			X

## Judiciary

LR	Subject	Completed Report Issued	Completed No Report Issued	Deferred
506	Interim study to examine the efficacy of testing and monitoring programs, particularly the 24/7 sobriety program, in reducing recidivism for driving under the influence and controlled substance offenses		X	
518	Interim study to review issues surrounding child custody proceedings and parenting time determinations as they pertain to families of divorce			X
525	Interim study to examine issues associated with treating an individual licensed under the Nebr. Real Estate License Act as a professional for purposes of civil actions for professional negligence			X

527	Interim study to examine possible legislative reforms to Nebraska's mandatory minimum sentencing laws			X
532	Interim study to evaluate the effectiveness and success of the Office of Violence Prevention			X
543	Interim study to examine possible legislative reforms to Nebraska laws relating to birth certificates			X
546	Interim study to examine whether Nebraska's occupational licensing boards are exposed to liability under antitrust laws			X
549	Interim study to examine issues relating to utilization of the U visa program in Nebraska			X
550	Interim study to examine the feasibility of creating a common data collection site for county jail information necessary to receive funding under the County Justice Reinvestment Grant Program		X	
560	Interim study to examine the origins and utility of using court fees as a source of funding in Nebraska			X
561	Interim study to examine the effectiveness, economic stability, and long-term viability of the Youth Rehabilitation and Treatment Center in Kearney and the Youth Rehabilitation and Treatment Center in Geneva		X	
566	Interim study to examine the availability of education, rehabilitation, and reentry support for incarcerated men and women		X	
568	Interim study to examine the membership, role, and duties of the Nebraska Police Standards Advisory Council			X
576	Interim study to examine children's access to legal counsel in juvenile proceedings across the state of Nebraska			X
578	Interim study to examine the Developmental Disabilities Court-Ordered Custody Act			X



584	Interim study to examine the possibility of providing direct and statewide funding for legal representation in order to provide more equitable access to civil justice in Nebraska			X
589	Interim study to examine issues within the jurisdiction of the Judiciary Committee			X

## Natural Resources

LR	Subject	Completed Report Issued	Completed No Report Issued	Deferred
402	Interim study to examine issues surrounding the blending of various fuels in Nebraska and the impact of right to blend laws in other states			X
579	Interim study to examine issues relating to solar energy development		X	

## Nebraska Retirement Systems

LR	Subject	Completed Report Issued	Completed No Report Issued	Deferred
483	Examine public employees' retirement systems administered by the Public Employees Retirement Board		X	
534	Examine whether the state can divest from fossil fuels and invest in clean energy consistent with fiduciary obligations			X
571	Examine local political subdivision retirement plans	X		

## Revenue

LR	Subject	Completed Report Issued	Completed No Report Issued	Deferred
511	Examine Existing Law on Remote Sales Tax Collection	X		
555	Study Process and Procedures of Appeals Before the TERC	X		
604	Examine Inconsistencies in Determining Ag Land Value		X	

600	Examine Alternatives for Valuing Ag Land		X	
563	Examine Substantial Tax Rates on Wireless Phone Service		X	
562	Examine Why Legislative Bills 20, 357 & 454 Failed to Pass the Legislature		X	
452	Establish Study Group to Examine Issues of the Need to Provide Financial Assistance for Home Accessibility Modifications for People with Disabilities Including Elderly		X	
592	Examine All Types of Income Taxation		X	
593	Examine Property Taxes		X	
594	Examine Sales, Use and Miscellaneous Taxes		X	

## Transportation and Telecommunications

LR	Subject	Completed Report Issued	Completed No Report Issued	Deferred
538	Telecommunications Services in Nebraska Legislature		X	
519	Study Update of the One-Call Notification Act		X	
539	Jurisdiction and Structure of the Nebraska Public Service Commission		X	
599	Review the Rate Review Processed Currently Conducted by the Nebraska Public Service Commission		X	

## Urban Affairs

LR	Subject	Completed Report Issued	Completed No Report Issued	Deferred
439	Interim study to examine the use of tax-increment financing by municipalities for residential development		X	
464	Interim study to examine the effects of the use of tax-increment financing by municipalities			X

489	Interim study to examine issues relating to housing authorities		X	
490	Interim study to examine the enforcement of state and local building codes		X	
495	Interim study to examine state law governing cities of the second class and villages in Chapter 17 of the Nebraska statutes		X	
496	Interim study to examine issues within the jurisdiction of the Urban Affairs Committee			X
526	Interim study to examine municipal classifications		X	
565	Interim study to examine land acquisition within municipalities for educational purposes			X
605	Interim study to examine issues relating to urban redevelopment			X

### BILLS ON FIRST READING

The following bills were read for the first time by title:

**LEGISLATIVE BILL 1.** Introduced by Executive Board: Watermeier, 1, Chairperson.

A BILL FOR AN ACT relating to ethanol; to amend section 66-1333, Reissue Revised Statutes of Nebraska, and section 66-1345, Revised Statutes Cumulative Supplement, 2016; to eliminate defined terms; to repeal obsolete provisions relating to the Ethanol Production Incentive Cash Fund and a corn and grain sorghum excise tax; to eliminate a penalty; to repeal the original sections; and to outright repeal section 66-1345.03, Reissue Revised Statutes of Nebraska, and sections 66-1345.01, 66-1345.02, and 66-1345.04, Revised Statutes Cumulative Supplement, 2016.

**LEGISLATIVE BILL 2.** Introduced by Executive Board: Watermeier, 1, Chairperson.

A BILL FOR AN ACT relating to agriculture; to amend section 54-857, Revised Statutes Cumulative Supplement, 2016; to eliminate an obsolete provision relating to a report on dairy production and processing; to harmonize provisions; to repeal the original section; and to outright repeal section 2-3993, Revised Statutes Cumulative Supplement, 2016.

**LEGISLATIVE BILL 3.** Introduced by Executive Board: Watermeier, 1, Chairperson.

A BILL FOR AN ACT relating to the Communications Cash Fund; to amend section 81-1120.22, Reissue Revised Statutes of Nebraska; to repeal provisions that terminated July 31, 2011; to harmonize provisions; to repeal the original section; and to outright repeal section 81-1120.23, Reissue Revised Statutes of Nebraska.

**LEGISLATIVE BILL 4.** Introduced by Executive Board: Watermeier, 1, Chairperson.

A BILL FOR AN ACT relating to the Medical Home Pilot Program Act; to repeal provisions that terminated June 30, 2014; and to outright repeal sections 68-957, 68-958, 68-960, and 68-961, Reissue Revised Statutes of Nebraska, and section 68-959, Revised Statutes Cumulative Supplement, 2016.

**LEGISLATIVE BILL 5.** Introduced by Executive Board: Watermeier, 1, Chairperson.

A BILL FOR AN ACT relating to the Small Business Innovation Act; to repeal provisions that terminated December 31, 2014; and to outright repeal sections 81-12,136, 81-12,137, 81-12,138, 81-12,139, 81-12,140, 81-12,141, 81-12,142, and 81-12,143, Reissue Revised Statutes of Nebraska.

**LEGISLATIVE BILL 6.** Introduced by Krist, 10.

A BILL FOR AN ACT relating to the Office of the Inspector General of Nebraska Child Welfare Act; to amend section 43-4325, Reissue Revised Statutes of Nebraska; to provide for release of a summarized final report as prescribed; to repeal the original section; and to declare an emergency.

**LEGISLATIVE BILL 7.** Introduced by Krist, 10.

A BILL FOR AN ACT relating to jails and correctional facilities; to amend section 47-706, Revised Statutes Cumulative Supplement, 2016; to provide for suspension of medical assistance for detainees in public institutions as prescribed; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 8.** Introduced by Krist, 10.

A BILL FOR AN ACT relating to the Nebraska Juvenile Code; to amend sections 43-253, 43-286, and 43-286.01, Reissue Revised Statutes of Nebraska; to change and eliminate provisions relating to juvenile detention and probation; to provide for graduated response sanctions and incentives as prescribed; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 9.** Introduced by Krist, 10.

A BILL FOR AN ACT relating to radon; to adopt the Radon Resistant New Construction Act; and to create a task force.

**LEGISLATIVE BILL 10.** Introduced by Krist, 10.

A BILL FOR AN ACT relating to courts; to amend section 43-2,119, Reissue Revised Statutes of Nebraska; to increase the number of judges of the separate juvenile court as prescribed; to provide an operative date; to repeal the original section; and to declare an emergency.

**LEGISLATIVE BILL 11.** Introduced by Krist, 10.

A BILL FOR AN ACT relating to juveniles; to amend sections 29-1816 and 43-274, Reissue Revised Statutes of Nebraska; to change provisions relating to transfer of juvenile cases; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 12.** Introduced by Krist, 10.

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 77-3510 and 77-3514, Revised Statutes Cumulative Supplement, 2016; to change homestead exemption requirements relating to income statements and certifications of status; and to repeal the original sections.

**LEGISLATIVE BILL 13.** Introduced by Krist, 10.

A BILL FOR AN ACT relating to state government; to amend sections 60-1404, 72-723, 72-2210, 72-2213, 80-401.11, 81-1108.36, and 81-1108.38, Reissue Revised Statutes of Nebraska, and section 3-106, Revised Statutes Cumulative Supplement, 2016; to change provisions regarding office space and state property; to provide and change duties for the Nebraska Capitol Commission and the Office of the Nebraska Capitol Commission; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 14.** Introduced by Krist, 10.

A BILL FOR AN ACT relating to education; to state intent; and to provide for successful completion of a civics test as a prerequisite to high school graduation as prescribed.

**LEGISLATIVE BILL 15.** Introduced by Craighead, 6.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-2716, Revised Statutes Cumulative Supplement, 2016; to adopt the First-Time Home Buyer Savings Account Act; to provide for income tax adjustments as prescribed; and to repeal the original section.

**LEGISLATIVE BILL 16.** Introduced by Craighead, 6.

A BILL FOR AN ACT relating to the Nebraska Real Estate License Act; to amend sections 81-885.13, 81-885.17, 81-885.19, and 81-885.21, Reissue Revised Statutes of Nebraska, and section 81-885.24, Revised Statutes Cumulative Supplement, 2016; to change provisions relating to applications for licenses and display and verification of licenses; to provide for rules and regulations relating to broker trust accounts; to provide an unfair trade practice; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 17.** Introduced by Craighead, 6.

A BILL FOR AN ACT relating to real property; to amend sections 76-2228.02, 76-3201, 76-3202, 76-3203, 76-3204, 76-3205, 76-3206, 76-3207, 76-3208, 76-3210, 76-3212, 76-3213, 76-3214, 76-3215, 76-3216, and 76-3217, Revised Statutes Cumulative Supplement, 2016; to change and eliminate provisions relating to the Real Property Appraiser Act and the Nebraska Appraisal Management Company Registration Act; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 18.** Introduced by Kolterman, 24.

A BILL FOR AN ACT relating to the Dentistry Practice Act; to amend sections 38-1101, 38-1102, 38-1107, 38-1116, 38-1119, 38-1121, 38-1130, 38-1131, 38-1132, 38-1135, and 38-1136, Reissue Revised Statutes of Nebraska; to define and redefine terms; to change provisions relating to dental assistants and licensed dental hygienists; to provide for licensed dental assistants, expanded function dental assistants, and expanded function dental hygienists; to provide powers and duties; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 19.** Introduced by Kolterman, 24.

A BILL FOR AN ACT relating to acupuncture; to amend section 38-2058, Reissue Revised Statutes of Nebraska; to change requirements for the practice of acupuncture; and to repeal the original section.

**LEGISLATIVE BILL 20.** Introduced by Kolterman, 24.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-3508, Revised Statutes Cumulative Supplement, 2016; to change provisions relating to homestead exemption certifications; to provide an operative date; and to repeal the original section.

**LEGISLATIVE BILL 21.** Introduced by Riepe, 12.

A BILL FOR AN ACT relating to motor vehicles; to amend section 60-1439.01, Revised Statutes Cumulative Supplement, 2016; to change provisions relating to primary and secondary motor vehicle insurance

coverage for loaned vehicles; and to repeal the original section.

**LEGISLATIVE BILL 22.** Introduced by Speaker Scheer, 19; at the request of the Governor.

A BILL FOR AN ACT relating to appropriations; to amend Laws 2015, LB259A, section 2; Laws 2015, LB469A, section 1; Laws 2015, LB605A, section 8; Laws 2015, LB657, sections 10, 11, 12, 13, 14, 15, 16, 17, 19, 21, 25, 26, 27, 28, 29, 32, 34, 38, 39, 44, 51, 53, 54, 55, 56, 58, 67, 68, 71, 80, 83, 84, 85, 90, 94, 95, 97, 99, 100, 101, 107, 108, 112, 113, 114, 119, 126, 127, 129, 131, 133, 134, 136, 137, 138, 139, 140, 145, 150, 152, 153, 154, 155, 163, 166, 167, 169, 171, 174, 175, 178, 179, 188, 191, 192, 194, 195, 202, 204, 211, 213, 216, 218, 219, 221, 223, 224, 226, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 244, 245, 246, 247, 249, 256, and 260; Laws 2015, LB659, sections 7, 15, and 17; Laws 2015, LB660, sections 35 and 40; Laws 2016, LB956, sections 7, 10, 39, 41, 42, 44, 45, 46, 47, 48, 49, 51, 52, 53, 54, 55, 56, 61, 62, 63, 65, 66, and 67; and Laws 2016, LB1038A, section 1; to define terms; to provide, change, and eliminate provisions relating to appropriations; to reduce appropriations; to state intent; to repeal the original sections; and to declare an emergency.

**LEGISLATIVE BILL 23.** Introduced by Speaker Scheer, 19; at the request of the Governor.

A BILL FOR AN ACT relating to appropriations; to amend sections 12-1301, 19-102, 19-103, 24-231, 29-3921, 60-3,218, 68-940.01, 71-7450, 81-179, 81-638, 81-885.15, 81-1558, 85-1414.01, and Reissue Revised Statutes of Nebraska, sections 2-1222, 60-1409, 66-204, and 85-1414.01, Revised Statutes Cumulative Supplement, 2016, and Laws 2015, LB661, section 4; to provide for transfers of funds; to harmonize provisions; to terminate funds; to repeal the original sections; and to declare an emergency.

**LEGISLATIVE BILL 24.** Introduced by Speaker Scheer, 19; at the request of the Governor.

A BILL FOR AN ACT relating to the Cash Reserve Fund; to amend section 84-612, Revised Statutes Cumulative Supplement, 2016; to provide for a transfer; to repeal the original section; and to declare an emergency.

**LEGISLATIVE BILL 25.** Introduced by Murante, 49.

A BILL FOR AN ACT relating to presidential electors; to amend sections 32-710, 32-713, 32-714, and 32-1038, Reissue Revised Statutes of Nebraska; to change provisions relating to ballots cast by presidential electors; and to repeal the original sections.

**LEGISLATIVE BILL 26.** Introduced by Murante, 49.

A BILL FOR AN ACT relating to harassment protection orders; to amend section 28-311.09, Reissue Revised Statutes of Nebraska; to change service requirements for such orders; and to repeal the original section.

**LEGISLATIVE BILL 27.** Introduced by Murante, 49.

A BILL FOR AN ACT relating to state and local government; to amend sections 81-1118, 81-1348, and 84-321, Reissue Revised Statutes of Nebraska, and sections 13-513, 73-506, 84-304, and 84-311, Revised Statutes Cumulative Supplement, 2016; to change provisions relating to the Nebraska Budget Act; to provide for late fees and remedial fees; to change provisions relating to the duration of certain state agency contracts and membership of the Suggestion Award Board; to authorize additional assistant deputies for and sharing of working papers by the Auditor of Public Accounts; to provide the rate of interest on and liability for certain delinquent payments; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 28.** Introduced by Kolterman, 24.

A BILL FOR AN ACT relating to the Nebraska Capital Expansion Act; to amend section 72-1263, Revised Statutes Cumulative Supplement, 2016; to change provisions relating to the amount of funds offered to banks and other financial institutions as deposits; and to repeal the original section.

**LEGISLATIVE BILL 29.** Introduced by Kolterman, 24.

A BILL FOR AN ACT relating to the Class V School Employees Retirement Cash Fund; to amend sections 72-1249 and 79-9,115, Revised Statutes Cumulative Supplement, 2016; to eliminate the fund; to change a provision relating to expenses charged to the Class V School Employees Retirement Fund; and to repeal the original sections.

**LEGISLATIVE BILL 30.** Introduced by Kolterman, 24.

A BILL FOR AN ACT relating to retirement; to provide for a cash balance benefit plan by cities of the metropolitan class and primary class for certain police officers or firefighters as prescribed; and to provide a duty for the Revisor of Statutes.

**LEGISLATIVE BILL 31.** Introduced by Kolterman, 24.

A BILL FOR AN ACT relating to school retirement plans; to amend sections 79-933.08 and 79-958, Reissue Revised Statutes of Nebraska, and sections 79-902 and 79-978, Revised Statutes Cumulative Supplement, 2016; to redefine terms; to change provisions relating to the purchase of service credit within twelve months of retirement; to harmonize provisions;



to repeal the original sections; and to declare an emergency.

**LEGISLATIVE BILL 32.** Introduced by Kolterman, 24; Watermeier, 1.

A BILL FOR AN ACT relating to retirement; to amend sections 23-2334 and 84-1319, Reissue Revised Statutes of Nebraska, and section 23-2317, Revised Statutes Cumulative Supplement, 2016; to eliminate a duty of the Public Employees Retirement Board to provide tax information to county and state employees; to change provisions relating to prior service retirement benefit payments under the County Employees Retirement Act; and to repeal the original sections.

**LEGISLATIVE BILL 33.** Introduced by Ebke, 32.

A BILL FOR AN ACT relating to vital statistics; to amend section 71-612, Revised Statutes Cumulative Supplement, 2016; to change fees for multiple copies of death certificates; and to repeal the original section.

**LEGISLATIVE BILL 34.** Introduced by Ebke, 32.

A BILL FOR AN ACT relating to elections; to amend section 32-610, Reissue Revised Statutes of Nebraska; to change filing provisions relating to partisan candidates; and to repeal the original section.

**LEGISLATIVE BILL 35.** Introduced by Harr, 8.

A BILL FOR AN ACT relating to corporations; to amend sections 21-201, 21-214, 21-217, 21-220, 21-254, 21-255, 21-264, 21-265, 21-266, 21-271, 21-275, 21-283, 21-285, 21-2,103, 21-2,113, 21-2,114, 21-2,120, 21-2,123, 21-2,124, 21-2,171, 21-2,172, 21-2,173, 21-2,197, 21-2,201, and 21-2,222, Revised Statutes Cumulative Supplement, 2016; to change provisions relating to the Nebraska Model Business Corporation Act; to provide an operative date; and to repeal the original sections.

**LEGISLATIVE BILL 36.** Introduced by Harr, 8.

A BILL FOR AN ACT relating to state agencies; to amend section 84-920, Revised Statutes Cumulative Supplement, 2016; to change provisions of the Administrative Procedure Act; to provide for review by agencies of occupational credentials as prescribed; to provide for a critical assessment document; to harmonize provisions; and to repeal the original section.

**LEGISLATIVE BILL 37.** Introduced by Harr, 8.

A BILL FOR AN ACT relating to garnishment; to amend sections 25-1056, 25-1552, 36-213, and 43-3334, Reissue Revised Statutes of Nebraska; to adopt the Uniform Wage Garnishment Act; to harmonize provisions; to provide an operative date; to provide severability; to repeal the original sections; and to outright repeal section 25-1558, Reissue Revised Statutes of Nebraska.

**LEGISLATIVE BILL 38.** Introduced by Harr, 8.

A BILL FOR AN ACT relating to the register of deeds; to amend section 23-1503.01, Reissue Revised Statutes of Nebraska; to authorize digital or electronic signatures as prescribed; and to repeal the original section.

**LEGISLATIVE BILL 39.** Introduced by Harr, 8.

A BILL FOR AN ACT relating to crimes and offenses; to amend sections 28-101 and 29-820, Reissue Revised Statutes of Nebraska; to prohibit the purchase, sale, offer for sale, trade, or barter of ivory as prescribed; to define a term; to provide a penalty; to provide for the disposition of ivory seized as contraband; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 40.** Introduced by Hilkemann, 4.

A BILL FOR AN ACT relating to school transportation; to amend section 79-609, Reissue Revised Statutes of Nebraska; to prohibit use of an interactive wireless communication device by a school bus operator as prescribed; and to repeal the original section.

**LEGISLATIVE BILL 41.** Introduced by Hilkemann, 4.

A BILL FOR AN ACT relating to motor vehicles; to amend section 60-6,268, Revised Statutes Cumulative Supplement, 2016; to change child passenger restraint system enforcement from a secondary offense to a primary offense; and to repeal the original section.

**LEGISLATIVE BILL 42.** Introduced by Hilkemann, 4.

A BILL FOR AN ACT relating to motor vehicles; to amend sections 60-6,265, 60-6,267, and 71-1907, Revised Statutes Cumulative Supplement, 2016; to change provisions relating to occupant protection systems for children; to adopt certain federal safety provisions; and to repeal the original sections.

**LEGISLATIVE BILL 43.** Introduced by Hilkemann, 4.

A BILL FOR AN ACT relating to telecommunications; to amend sections 86-435, 86-457, and 86-903, Reissue Revised Statutes of Nebraska; to change provisions relating to surcharges for 911 service; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 44.** Introduced by Watermeier, 1.

A BILL FOR AN ACT relating to revenue and taxation; to adopt the Remote Seller Sales Tax Collection Act; and to declare an emergency.

**LEGISLATIVE BILL 45.** Introduced by Watermeier, 1.

A BILL FOR AN ACT relating to motor vehicles; to amend section 80-414, Reissue Revised Statutes of Nebraska, and sections 60-3,122.03 and 60-3,122.04, Revised Statutes Cumulative Supplement, 2016; to change provisions relating to Military Honor Plates; to harmonize provisions; to provide an operative date; and to repeal the original sections.

**LEGISLATIVE BILL 46.** Introduced by Watermeier, 1.

A BILL FOR AN ACT relating to motor vehicles; to amend section 43-1906, Reissue Revised Statutes of Nebraska, and sections 60-301, 60-393, 60-395, 60-396, 60-3,104, and 60-3,130.04, Revised Statutes Cumulative Supplement, 2016; to provide additional funding for the Nebraska Child Abuse Prevention Fund; to provide for Choose Life License Plates; to change provisions relating to personalized message license plates; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 47.** Introduced by Watermeier, 1.

A BILL FOR AN ACT relating to county government; to amend sections 23-1822, 33-138, 33-139, and 48-135, Reissue Revised Statutes of Nebraska; to change provisions relating to the payment of fees and costs associated with grand juries and the deaths of incarcerated persons; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 48.** Introduced by Schumacher, 22.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-2716, Revised Statutes Cumulative Supplement, 2016; to provide an income tax adjustment relating to certain gains on the sale of real estate; and to repeal the original section.

**LEGISLATIVE BILL 49.** Introduced by Schumacher, 22.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-2714, Reissue Revised Statutes of Nebraska, and section 77-2701, Revised Statutes Cumulative Supplement, 2016; to provide for the treatment of certain amendments to the Internal Revenue Code; to harmonize provisions; to provide an operative date; and to repeal the original sections.

**LEGISLATIVE BILL 50.** Introduced by Schumacher, 22.

A BILL FOR AN ACT relating to behavioral health services; to amend section 71-801, Revised Statutes Cumulative Supplement, 2016; to provide duties for the Division of Behavioral Health of the Department of Health and Human Services and the regional governing authorities; to harmonize provisions; and to repeal the original section.

**LEGISLATIVE BILL 51.** Introduced by Schumacher, 22.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-1859, Reissue Revised Statutes of Nebraska, and sections 19-5217, 77-1807, 77-1812, 77-1824, 77-1825, and 77-1831, Revised Statutes Cumulative Supplement, 2016; to change provisions relating to sales of real property for nonpayment of taxes; to eliminate obsolete provisions; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 52.** Introduced by Schumacher, 22.

A BILL FOR AN ACT relating to revenue and taxation; to adopt the Modern Tax Act; to impose a tax on the interest paid on certain loans; and to provide an operative date.

**LEGISLATIVE BILL 53.** Introduced by Schumacher, 22.

A BILL FOR AN ACT relating to crimes and offenses; to amend sections 28-105 and 29-2221, Reissue Revised Statutes of Nebraska; to change provisions relating to mandatory minimum sentencing and sentencing of habitual criminals; to provide for three-judge panel sentencing hearings as prescribed; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 54.** Introduced by Schumacher, 22.

A BILL FOR AN ACT relating to the Nebraska Rules of the Road; to amend section 60-6,168, Reissue Revised Statutes of Nebraska; to change provisions relating to unattended motor vehicles; and to repeal the original section.

**LEGISLATIVE BILL 55.** Introduced by Schumacher, 22.

A BILL FOR AN ACT relating to county roads maintenance; to amend section 39-1811, Reissue Revised Statutes of Nebraska; to change a provision relating to the frequency of the mowing of weeds by landowners; and to repeal the original section.

**LEGISLATIVE BILL 56.** Introduced by Morfeld, 46.

A BILL FOR AN ACT relating to accountants; to amend section 1-136.02, Revised Statutes Cumulative Supplement, 2016; to change provisions relating to experience requirements for issuance of a permit; and to repeal the original section.

**LEGISLATIVE BILL 57.** Introduced by Morfeld, 46.

A BILL FOR AN ACT relating to unsworn declarations; to amend sections 28-915 and 28-915.01, Reissue Revised Statutes of Nebraska; to adopt the Uniform Unsworn Foreign Declarations Act; to change provisions relating

to perjury; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 58.** Introduced by Kintner, 2; Brasch, 16; Erdman, 47.

A BILL FOR AN ACT relating to schools; to amend section 79-2,136, Reissue Revised Statutes of Nebraska; to change provisions relating to participation in school-sponsored extracurricular activities; and to repeal the original section.

**LEGISLATIVE BILL 59.** Introduced by Kintner, 2; Brasch, 16; Brewer, 43; Erdman, 47.

A BILL FOR AN ACT relating to health care facilities; to amend section 71-401, Revised Statutes Cumulative Supplement, 2016; to require the Department of Health and Human Services and health care facilities to provide information regarding abortion; to harmonize provisions; to provide severability; and to repeal the original section.

**LEGISLATIVE BILL 60.** Introduced by Lindstrom, 18; Friesen, 34; Groene, 42.

A BILL FOR AN ACT relating to the Parenting Act; to amend section 43-2933, Reissue Revised Statutes of Nebraska; to change provisions relating to limitation or denial of custody or access to a child; and to repeal the original section.

**LEGISLATIVE BILL 61.** Introduced by Kolterman, 24.

A BILL FOR AN ACT relating to health care; to amend sections 38-2028 and 38-2034, Reissue Revised Statutes of Nebraska; to adopt the Interstate Medical Licensure Compact; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 62.** Introduced by Scheer, 19.

A BILL FOR AN ACT relating to schools; to eliminate provisions prohibiting the wearing of religious garb by teachers in public schools; to eliminate penalties; to harmonize provisions; and to outright repeal sections 79-898 and 79-899, Reissue Revised Statutes of Nebraska.

**LEGISLATIVE BILL 63.** Introduced by Scheer, 19.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-2704.10, Revised Statutes Cumulative Supplement, 2016; to eliminate a sales and use tax exemption relating to political events; to provide an operative date; and to repeal the original section.

**LEGISLATIVE BILL 64.** Introduced by Hansen, 26.

A BILL FOR AN ACT relating to public health and welfare; to adopt the Adrenal Insufficiency Diagnosis Information and Support Act.

**LEGISLATIVE BILL 65.** Introduced by Hansen, 26.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-2715.07, Revised Statutes Cumulative Supplement, 2016; to provide income tax credits for caregivers as prescribed; and to repeal the original section.

**LEGISLATIVE BILL 66.** Introduced by Hansen, 26.

A BILL FOR AN ACT relating to the Uninsured and Underinsured Motorist Insurance Coverage Act; to amend sections 44-6410 and 44-6411, Reissue Revised Statutes of Nebraska; to change provisions relating to stacking of coverage; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 67.** Introduced by Brasch, 16; Brewer, 43; Erdman, 47; Groene, 42; Halloran, 33; Kintner, 2; Lowe, 37.

A BILL FOR AN ACT relating to trade practices; to adopt the Fair Repair Act.

**LEGISLATIVE BILL 68.** Introduced by Hilgers, 21; Brewer, 43; Ebke, 32; Geist, 25; Groene, 42; Kolterman, 24; Larson, 40; Lindstrom, 18; Lowe, 37; Murante, 49; Watermeier, 1.

A BILL FOR AN ACT relating to firearms; to amend sections 15-255, 17-556, and 18-1703, Reissue Revised Statutes of Nebraska, and sections 14-102, 16-227, and 23-187, Revised Statutes Cumulative Supplement, 2016; to prohibit certain regulation of firearms, ammunition, and firearm accessories by cities, villages, and counties as prescribed; and to repeal the original sections.

**LEGISLATIVE BILL 69.** Introduced by Pansing Brooks, 28.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-2715.07, Revised Statutes Cumulative Supplement, 2016; to increase the earned income tax credit as prescribed; and to repeal the original section.

**LEGISLATIVE BILL 70.** Introduced by Pansing Brooks, 28.

A BILL FOR AN ACT relating to the Motor Vehicle Operator's License Act; to amend section 60-4,109, Reissue Revised Statutes of Nebraska, and section 60-4,108, Revised Statutes Cumulative Supplement, 2016; to change provisions relating to operator's license revocation; and to repeal the original sections.

**LEGISLATIVE BILL 71.** Introduced by Pansing Brooks, 28.

A BILL FOR AN ACT relating to the Nebraska Tree Recovery Program; to amend section 72-1902, Reissue Revised Statutes of Nebraska; to change legislative intent relating to appropriations; to repeal the original section; and to declare an emergency.

**LEGISLATIVE BILL 72.** Introduced by Schumacher, 22.

A BILL FOR AN ACT relating to the Nebraska Governmental Unit Security Interest Act; to amend sections 10-1101, 10-1102, 10-1104, 10-1105, and 10-1106, Reissue Revised Statutes of Nebraska, and sections 10-1103, 70-1813, and 70-1819, Revised Statutes Cumulative Supplement, 2016; to rename the act; to define and redefine terms; to provide for governmental unit bond priority; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 73.** Introduced by Riepe, 12.

A BILL FOR AN ACT relating to tobacco; to amend sections 28-1418, 28-1418.01, 28-1419, 28-1421, 28-1424, 28-1425, 28-1427, and 28-1429.01, Reissue Revised Statutes of Nebraska; to prohibit the use, consumption, or obtaining of tobacco, vapor products, and alternative nicotine products by persons under twenty-one years of age; to prohibit the sale or transfer of tobacco, vapor products, and alternative nicotine products to persons under twenty-one years of age; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 74.** Introduced by Crawford, 45.

A BILL FOR AN ACT relating to cities and villages; to amend sections 16-130 and 17-407, Reissue Revised Statutes of Nebraska, and sections 17-1002 and 18-3001, Revised Statutes Cumulative Supplement, 2016; to change county population thresholds relating to annexation, suburban development, and planned unit development by a city or village; and to repeal the original sections.

**LEGISLATIVE BILL 75.** Introduced by Wayne, 13; McDonnell, 5; Morfeld, 46.

A BILL FOR AN ACT relating to voting rights; to amend sections 29-112, 29-113, 29-2264, 32-312, 32-313, 32-1530, and 83-1,118, Reissue Revised Statutes of Nebraska; to provide for the restoration of voting rights upon completion of a felony sentence or probation for a felony; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 76.** Introduced by Wayne, 13; McDonnell, 5; Morfeld, 46.

A BILL FOR AN ACT relating to elections; to amend sections 29-112, 29-2264, 32-313, and 83-1,102, Reissue Revised Statutes of Nebraska, and section 83-187, Revised Statutes Cumulative Supplement, 2016; to require filing of certain orders and abstracts with the Secretary of State regarding felons; to provide and change powers and duties; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 77.** Introduced by Crawford, 45.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-2711, Revised Statutes Cumulative Supplement, 2016; to change provisions relating to access to sales and use tax information by municipalities; and to repeal the original section.

**LEGISLATIVE BILL 78.** Introduced by Crawford, 45; Blood, 3.

A BILL FOR AN ACT relating to state highways; to amend section 39-1314, Reissue Revised Statutes of Nebraska; to change a provision relating to relinquishment or abandonment of a highway fragment, section, or route as prescribed; and to repeal the original section.

**LEGISLATIVE BILL 79.** Introduced by Blood, 3.

A BILL FOR AN ACT relating to private retirement plans; to adopt the Small Business Retirement Marketplace Act.

**LEGISLATIVE BILL 80.** Introduced by Blood, 3.

A BILL FOR AN ACT relating to the County Civil Service Act; to amend section 23-2519, Reissue Revised Statutes of Nebraska; to provide that certain law clerks and students are in the unclassified service; and to repeal the original section.

**LEGISLATIVE BILL 81.** Introduced by Blood, 3.

A BILL FOR AN ACT relating to handgun certificates; to amend section 69-2404, Reissue Revised Statutes of Nebraska; to change the application fee for such certificates; and to repeal the original section.

**LEGISLATIVE BILL 82.** Introduced by Blood, 3.

A BILL FOR AN ACT relating to the Department of Motor Vehicles; to amend section 60-601, Revised Statutes Cumulative Supplement, 2016; to require the department to include certain traffic stop safety information in the Nebraska Driver's Manual; to harmonize provisions; and to repeal the original section.



**LEGISLATIVE BILL 83.** Introduced by Blood, 3; Linehan, 39; McDonnell, 5; Wayne, 13.

A BILL FOR AN ACT relating to the Nebraska Rules of the Road; to amend section 60-6,233, Reissue Revised Statutes of Nebraska; to allow physician medical directors to display certain vehicle lights as prescribed; to define a term; and to repeal the original section.

**LEGISLATIVE BILL 84.** Introduced by Blood, 3.

A BILL FOR AN ACT relating to driving under the influence; to amend section 60-601, Revised Statutes Cumulative Supplement, 2016; to provide for the admissibility in any civil action of evidence of damages as a result of driving under the influence; and to repeal the original section.

**LEGISLATIVE BILL 85.** Introduced by Blood, 3; Baker, 30; Crawford, 45; Hansen, 26; McDonnell, 5; Morfeld, 46; Vargas, 7; Wayne, 13.

A BILL FOR AN ACT relating to law; to amend sections 32-602 and 49-1401, Reissue Revised Statutes of Nebraska, and section 49-14,123, Revised Statutes Cumulative Supplement, 2016; to provide a requirement for any person seeking appointive or elective office as prescribed; to provide a duty for the Nebraska Accountability and Disclosure Commission; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 86.** Introduced by Blood, 3.

A BILL FOR AN ACT relating to highways and bridges; to amend section 39-810, Reissue Revised Statutes of Nebraska; to eliminate a requirement regarding opening bids; and to repeal the original section.

**LEGISLATIVE BILL 87.** Introduced by Blood, 3.

A BILL FOR AN ACT relating to net metering; to amend sections 70-2002 and 70-2003, Reissue Revised Statutes of Nebraska; to redefine a term; to authorize local distribution utilities to waive certain requirements; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 88.** Introduced by Blood, 3; Hansen, 26; Morfeld, 46; Wayne, 13; Williams, 36.

A BILL FOR AN ACT relating to the Uniform Credentialing Act; to amend sections 38-101, 38-126, 38-208, 38-319, 38-413, 38-517, 38-518, 38-615, 38-708, 38-809, 38-1066, 38-1067, 38-1070, 38-10,132, 38-1120, 38-1121, 38-1123, 38-1217, 38-1218, 38-1312, 38-1421, 38-1507, 38-1513, 38-1516, 38-1711, 38-1712, 38-1814, 38-1917, 38-1917.02, 38-2028, 38-2034, 38-2049, 38-2125, 38-2130, 38-2223, 38-2225, 38-2316, 38-2318, 38-2421,

38-2517, 38-2523, 38-2609, 38-2707, 38-2853, 38-2924, 38-3120, 38-3212, 38-3327, and 38-3419, Reissue Revised Statutes of Nebraska; to provide for issuance of a temporary credential to the spouse of a military member based on reciprocity as prescribed; to harmonize provisions; to repeal the original sections; and to declare an emergency.

**LEGISLATIVE BILL 89.** Introduced by Hughes, 44.

A BILL FOR AN ACT relating to the Nebraska Budget Act; to amend sections 13-506 and 13-511, Revised Statutes Cumulative Supplement, 2016; to change published notice of hearing requirements; and to repeal the original sections.

**LEGISLATIVE BILL 90.** Introduced by Hughes, 44.

A BILL FOR AN ACT relating to the Auditor of Public Accounts; to amend section 84-305, Revised Statutes Cumulative Supplement, 2016; to provide for suitable accommodations by a public entity to an auditor employee as prescribed; and to repeal the original section.

**LEGISLATIVE BILL 91.** Introduced by Hilkemann, 4.

A BILL FOR AN ACT relating to metabolic screening; to amend sections 71-519, 71-520, and 71-523, Reissue Revised Statutes of Nebraska; to change provisions relating to infant screening as prescribed; to change a fee; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 92.** Introduced by Kolterman, 24; Baker, 30; Howard, 9; Riepe, 12.

A BILL FOR AN ACT relating to telehealth; to require certain health carriers to provide coverage for certain services delivered through telehealth; and to provide a duty for the Revisor of Statutes.

**LEGISLATIVE BILL 93.** Introduced by Hansen, 26; Ebke, 32.

A BILL FOR AN ACT relating to law enforcement; to adopt the Automatic License Plate Reader Privacy Act.

**LEGISLATIVE BILL 94.** Introduced by Kolterman, 24.

A BILL FOR AN ACT relating to the Nebraska Capital Expansion Act; to amend section 72-1263, Revised Statutes Cumulative Supplement, 2016; to increase the amount of funds offered to banks and other financial institutions as deposits; and to repeal the original section.

**LEGISLATIVE BILL 95.** Introduced by Crawford, 45; McCollister, 20.

A BILL FOR AN ACT relating to the cities and villages; to amend sections

18-2102.01, 18-2109, 18-2111, 18-2113, 18-2116, and 18-2117.01, Reissue Revised Statutes of Nebraska, and sections 18-2115, 18-2119, and 18-2147, Revised Statutes Cumulative Supplement, 2016; to change provisions relating to the Community Development Law and tax-increment financing; and to repeal the original sections.

### RESOLUTION(S)

#### LEGISLATIVE RESOLUTION 1CA. Introduced by Murante, 49.

THE MEMBERS OF THE ONE HUNDRED FIFTH LEGISLATURE OF NEBRASKA, FIRST SESSION, RESOLVE THAT:

Section 1. At the general election in November 2018, the following proposed amendment to the Constitution of Nebraska shall be submitted to the electors of the State of Nebraska for approval or rejection:

To amend Article I, section 22:

I-22 (1) All elections shall be free; and there shall be no hindrance or impediment to the right of a qualified voter to exercise the elective franchise.

(2) In order to combat voter fraud, preserve the relative power of each eligible citizen's right to vote, modernize the election infrastructure of the state, and ensure the integrity of the elections of the state so as to preserve the public confidence in the legitimacy of the elected government, each voter shall present identification that contains a photograph or digital image of the voter prior to being able to vote as provided by the Legislature. The Legislature shall provide specifications for the identification and the manner of presentation and for exemptions for specific situations in which requiring such identification would violate an individual's rights under the Constitution of the United States.

Sec. 2. The proposed amendment shall be submitted to the electors in the manner prescribed by the Constitution of Nebraska, Article XVI, section 1, with the following ballot language:

A constitutional amendment to require presentation of identification prior to voting as provided by the Legislature.

For

Against.

#### LEGISLATIVE RESOLUTION 2. Introduced by Crawford, 45; Blood, 3.

WHEREAS, the Bellevue West High School football team won the 2016 Class A State Football Championship; and

WHEREAS, the Bellevue West and Omaha North football teams were each undefeated in the 2016 regular season; and

WHEREAS, the Bellevue West football team showed skill, talent, and determination in winning the 2016 championship game with a score of 43-6; and

WHEREAS, head coach Mike Huffman and his coaching staff have served as mentors and leaders for all of the members of the team; and

WHEREAS, the Legislature recognizes the academic, athletic, and artistic achievements of the youth of our state.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED FIFTH LEGISLATURE OF NEBRASKA, FIRST SESSION:

1. That the Legislature congratulates the Bellevue West High School football team on winning the 2016 Class A State Football Championship.
2. That head coach Mike Huffman be congratulated for his efforts in teaching, coaching, and providing guidance to the members of the team.
3. That a copy of this resolution be sent to the Bellevue West High School football team and coach Mike Huffman.

Laid over.

**LEGISLATIVE RESOLUTION 3.** Introduced by Harr, 8.

WHEREAS, the Legislature finds and declares that the 43rd Legislature of Nebraska designated a banner for the State of Nebraska that "consist[ed] of a reproduction of the great seal of the State, charged on the center in gold and silver on a field of national blue" with the passage of House Roll 62, which was signed by the President of the House on March 28, 1925; and

WHEREAS, the 73rd Legislature of Nebraska adopted the 1925 banner as the official state flag of the State of Nebraska, hereby known as the Nebraska flag, with the passage of Legislative Bill 556 on April 10, 1963, and subsequent signature by the Governor on April 23, 1963; and

WHEREAS, national surveys, including those conducted by the North American Vexillological Association, frequently rank the Nebraska flag within the five worst flags of the fifty states; and

WHEREAS, the North American Vexillological Association gives the design of the Nebraska flag a poor grade based on the following reasons:

- (a) The application of the Great Seal of the State of Nebraska is an overly complex device, especially when viewed from a distance;
- (b) The Nebraska flag is nearly indistinguishable from the designs of nineteen other official state flags that also apply state seals, or portions thereof, on a field of blue;
- (c) The 19th century-specific references of the Nebraska flag's symbolism are too narrowly dated to provide a solid sense of timelessness; and
- (d) The use of writing on the Nebraska flag diminishes its symbolism; and

WHEREAS, the present Nebraska flag as defined by section 90-102 has proudly served the State of Nebraska for ninety-two years; and

WHEREAS, the Legislature further finds and declares that the possibility of a better-designed, more iconic Nebraska flag exists.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED FIFTH LEGISLATURE OF NEBRASKA, FIRST SESSION:

1. The Task Force on the Nebraska State Flag is created. The task force shall consist of ten members, including one member of the Legislature from each congressional district appointed by the Executive Board of the Legislative Council, two at-large members of the Legislature appointed by

the Executive Board, one person who is not a member of the Legislature from each congressional district appointed by the Executive Board, and two persons who are not members of the Legislature appointed at large by the Executive Board. The task force shall elect a chairperson from among the legislative members who shall call the meetings of the task force.

2. The task force shall develop a recommendation for the design of a new flag for the State of Nebraska which conforms to the flag design principles of established vexillologic organizations.

3. The Task Force on the Nebraska State Flag shall submit electronically a report to the Clerk of the Legislature with the task force findings on or before December 1, 2017.

Laid over.

#### **SPEAKER'S ANNOUNCEMENT**

Pursuant to Rule 4, Section 8, LR3 was referred to the Reference Committee.

#### **RESOLUTION(S)**

**LEGISLATIVE RESOLUTION 4.** Introduced by Blood, 3; Wayne, 13.

**PURPOSE:** Nitrate-nitrogen in the waterways is an ongoing issue for this state, as nitrates increasingly invade both our public and private water supplies. Human activity continues to introduce nitrates into waterways, with fertilizers, septic systems, animal waste, and nitrogen-bearing minerals in the soil all contributing to the problem. With the growing use of fertilizer, increasing livestock numbers, and expanding use of septic tanks, there is cause to be concerned about the elevated levels of nitrate-nitrogen and other chemicals impacting water quality in the state. Chemicals that are found in the waterways include chromium and chromium compounds and developmental toxins, such as lead and lead compounds, nitrates, phosphorous, and atrazine. Harmful bacteria, including E. coli, have also been detected. As commercial growth compounds the problem, it is important to understand what solutions or options may be available that can provide a cost-effective resolution to help protect Nebraska residents from negative health impacts.

This interim study shall specifically explore if the development of a more comprehensive water quality study is needed and if a nutrient management plan to improve water quality would benefit this state, including an analysis of best grasses for filtration and the best plantings for forests and crops in buffer areas.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED FIFTH LEGISLATURE OF NEBRASKA, FIRST SESSION:

1. That the Natural Resources Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.

2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.

Referred to the Executive Board.

#### **MOTION(S) - Print in Journal**

Senator Krist filed the following motion to LB13:

MO1

Withdraw bill.

Senator Kolterman filed the following motion to LB28:

MO2

Withdraw bill.

#### **MOTION - Escort Committees**

Senator Watermeier moved that a series of committees be appointed to escort the various state and constitutional officers for the purpose of administering their oaths of office.

The motion prevailed.

#### **RECESS**

At 11:20 a.m., on a motion by Senator Baker, the Legislature recessed until 1:30 p.m.

#### **AFTER RECESS**

The Legislature reconvened at 1:30 p.m., President Foley presiding.

#### **ROLL CALL**

The roll was called and all members were present except Senators McCollister, Murante, and Schumacher who were excused until they arrive.

#### **BILLS ON FIRST READING**

The following bills were read for the first time by title:

**LEGISLATIVE BILL 96.** Introduced by Crawford, 45; Blood, 3; Hansen, 26.

A BILL FOR AN ACT relating to economic development; to amend section 81-12,147, Revised Statutes Cumulative Supplement, 2016; to provide an eligible activity for assistance from the Site and Building Development Fund as prescribed; and to repeal the original section.

**LEGISLATIVE BILL 97.** Introduced by Crawford, 45.

A BILL FOR AN ACT relating to cities; to amend sections 19-4030 and 19-4031, Revised Statutes Cumulative Supplement, 2016; to adopt the Riverfront Development District Act; to harmonize provisions; to provide a duty for the Revisor of Statutes; and to repeal the original sections.

**LEGISLATIVE BILL 98.** Introduced by Friesen, 34.

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 2-3225 and 77-3442, Revised Statutes Cumulative Supplement, 2016; to extend certain levy authority for natural resources districts; and to repeal the original sections.

**LEGISLATIVE BILL 99.** Introduced by Stinner, 48.

A BILL FOR AN ACT relating to business entities; to amend sections 67-447 and 67-448, Reissue Revised Statutes of Nebraska, and sections 21-2,129, 21-2,130, 21-2,135, 21-2,140, 21-2,146, 67-448.01, and 67-448.02, Revised Statutes Cumulative Supplement, 2016; to change provisions relating to the conversion of corporations, partnerships, limited partnerships, and limited liability partnerships into other business entities; and to repeal the original sections.

**LEGISLATIVE BILL 100.** Introduced by Stinner, 48.

A BILL FOR AN ACT relating to the Nebraska Mental Health Commitment Act; to amend section 71-963, Revised Statutes Cumulative Supplement, 2016; to change provisions relating to petitions for removal of a person's firearm-related disabilities; and to repeal the original section.

**LEGISLATIVE BILL 101.** Introduced by Stinner, 48.

A BILL FOR AN ACT relating to state government; to amend section 81-1118, Reissue Revised Statutes of Nebraska, and section 73-506, Revised Statutes Cumulative Supplement, 2016; to change duration requirements for certain state agency contracts; and to repeal the original sections.

**PRESENTATION OF COLORS**

Presentation of Colors by the Nebraska Army National Guard.

**INAUGURAL CEREMONIES**

Chief Justice Michael G. Heavican, administered the Oath of Office to the newly elected state officials.

The Chief Justice and the newly elected state officials were escorted from the Chamber.

### **VISITOR**

The Doctor of the Day was Dr. Dale Michels from Lincoln.

### **ADJOURNMENT**

At 2:09 p.m., on a motion by Senator Morfeld, the Legislature adjourned until 10:00 a.m., Friday, January 6, 2017.

Patrick J. O'Donnell  
Clerk of the Legislature



**THIRD DAY - JANUARY 6, 2017**  
**LEGISLATIVE JOURNAL**  
**ONE HUNDRED FIFTH LEGISLATURE**  
**FIRST SESSION**

**THIRD DAY**

Legislative Chamber, Lincoln, Nebraska  
Friday, January 6, 2017

**PRAYER**

The prayer was offered by Senator Hilkemann.

**ROLL CALL**

Pursuant to adjournment, the Legislature met at 10:00 a.m., President Foley presiding.

The roll was called and all members were present except Senator McCollister who was excused until he arrives.

**CORRECTIONS FOR THE JOURNAL**

The Journal for the second day was approved.

**MOTION(S) - Withdraw LB13**

Senator Krist offered his motion, MO1, found on page 70, to withdraw LB13.

The Krist motion to withdraw the bill prevailed with 39 ayes, 0 nays, 9 present and not voting, and 1 excused and not voting.

**MOTION(S) - Withdraw LB28**

Senator Kolterman offered his motion, MO2, found on page 70, to withdraw LB28.

The Kolterman motion to withdraw the bill prevailed with 39 ayes, 0 nays, 9 present and not voting, and 1 excused and not voting.

**BILLS ON FIRST READING**

The following bills were read for the first time by title:

**LEGISLATIVE BILL 102.** Introduced by Hilkemann, 4.

A BILL FOR AN ACT relating to crimes and offenses; to amend section 28-919, Reissue Revised Statutes of Nebraska; to change a penalty relating to tampering with witnesses or informants; and to repeal the original section.

**LEGISLATIVE BILL 103.** Introduced by Murante, 49.

A BILL FOR AN ACT relating to education; to amend sections 79-1105, 79-1106, 79-1107, 79-1108, 79-1108.01, 79-1108.02, and 79-1108.03, Reissue Revised Statutes of Nebraska; to state findings; to change provisions relating to accelerated or differentiated curriculum programs; to require establishment of high-ability-learners' focus groups; to provide duties; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 104.** Introduced by Bolz, 29.

A BILL FOR AN ACT relating to health care decisions; to amend sections 20-405, 30-2628, 30-3420, and 83-4,157, Reissue Revised Statutes of Nebraska, and section 71-4843, Revised Statutes Cumulative Supplement, 2016; to provide for a surrogate to make health care decisions; to define terms; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 105.** Introduced by Brasch, 16.

A BILL FOR AN ACT relating to civil procedure; to amend sections 25-1552 and 25-1556, Reissue Revised Statutes of Nebraska; to change provisions relating to personal property exemptions in cases of forced sale on execution or attachment; and to repeal the original sections.

**LEGISLATIVE BILL 106.** Introduced by Brasch, 16.

A BILL FOR AN ACT relating to parental rights; to amend sections 43-254, 43-283.01, 43-292.02, 43-1411.01, and 43-2933, Reissue Revised Statutes of Nebraska; to change provisions relating to parental rights of a child conceived as a result of sexual assault; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 107.** Introduced by Crawford, 45.

A BILL FOR AN ACT relating to crimes and punishment; to amend sections 28-101, 28-318, 28-319, 28-319.01, 28-320, 28-320.01, 28-320.02, 28-813.01, 28-1463.04, and 28-1463.05, Reissue Revised Statutes of Nebraska; to prohibit sexual assault of a patient or client or a student; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 108.** Introduced by Crawford, 45.

A BILL FOR AN ACT relating to incarceration; to amend section 29-410, Reissue Revised Statutes of Nebraska, and section 83-186.01, Revised Statutes Cumulative Supplement, 2016; section 29-2261, Revised Statutes Cumulative Supplement, 2014, as amended by Laws 2015, LB504, section 1, to require guidelines to ensure safety of minor or dependent children upon arrest of a parent or guardian; to provide powers and duties; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 109.** Introduced by Blood, 3.

A BILL FOR AN ACT relating to schools; to amend section 79-813, Reissue Revised Statutes of Nebraska; to provide for issuance of a temporary certificate or permit to the spouse of a military member based on reciprocity as prescribed; to repeal the original section; and to declare an emergency.

**COMMITTEE ON COMMITTEES FINAL REPORT**

Senator Craighead moved to approve the following final Committee on Committees report:

Agriculture (8)

Rm. 2102 - Tuesday

Brasch (C), Albrecht, Blood, Chambers, Halloran, Harr, Krist, Lowe

Appropriations (9)

Rm. 1524 - Monday & Tuesday

Rm. 1003 - Wednesday, Thursday, & Friday

Stinner (C), Bolz, Hilkemann, Kintner, Kuehn, McDonnell, Vargas, Watermeier, Wishart

Banking, Commerce and Insurance (8)

Rm. 1507 - Monday & Tuesday

Lindstrom (C), Baker, Brewer, Craighead, Kolterman, McCollister, Schumacher, Williams

Business and Labor (7)

Rm. 2102 - Monday

Albrecht (C), Chambers, Crawford, Halloran, Hansen, Howard, Lowe

Education (8)

Rm. 1525 - Monday & Tuesday

Groene (C), Ebke, Erdman, Kolowski, Linehan, Morfeld, Pansing Brooks, Walz

General Affairs (8)

Rm. 1510 - Monday

Larson (C), Blood, Brasch, Harr, Krist, Quick, Riepe, Wayne

Government, Military and Veterans Affairs (8)

Rm. 1507 - Wednesday, Thursday, &amp; Friday

Murante (C), Blood, Brewer, Briese, Craighead, Hilgers, Lowe, Wayne

Health and Human Services (7)

Rm. 1510 - Wednesday, Thursday, &amp; Friday

Riepe (C), Crawford, Erdman, Howard, Kolterman, Linehan, Williams

Judiciary (8)

Rm. 1113 - Wednesday, Thursday, &amp; Friday

Ebke (C), Baker, Chambers, Halloran, Hansen, Krist, Morfeld, Pansing Brooks

Natural Resources (8)

Rm. 1525 - Wednesday, Thursday, &amp; Friday

Hughes (C), Albrecht, Bostelman, Geist, Kolowski, McCollister, Quick, Walz

Nebraska Retirement Systems (6)

Rm. 1525 - At call of Chair

Kolterman (C), Bolz, Groene, Kolowski, Lindstrom, Stinner

Revenue (8)

Rm. 1524 - Wednesday, Thursday, &amp; Friday

Smith (C), Brasch, Friesen, Groene, Harr, Larson, Lindstrom, Schumacher

Transportation and Telecommunications (8)

Rm. 1113 - Monday &amp; Tuesday

Friesen (C), Bostelman, Briese, Geist, Hilgers, Hughes, Murante, Smith

Urban Affairs (7)

Rm. 1510 - Tuesday

Wayne (C), Crawford, Hansen, Howard, Larson, Quick, Riepe

Committee on Committees (13)

Craighead (C)

District 1:	District 2:	District 3:
Kolterman	Harr	Erdman
Morfeld	Hilkemann	Friesen
Pansing Brooks	Howard	Groene
Schumacher	Smith (VC)	Kuehn

Enrollment and Review (1)

Wishart (C)

Reference (9)

Watermeier (C), Kuehn (VC), Bolz, Chambers, Crawford, Hughes, Larson, McCollister, Scheer, Stinner (nonvoting ex officio)

Rules (6)

Hilgers (C), Harr, Krist, Kuehn, Schumacher, Scheer (ex officio)

Executive Board of the Legislative Council (9)

Watermeier (C), Kuehn (VC), Bolz, Chambers, Crawford, Hughes, Larson, McCollister, Scheer, Stinner (nonvoting ex officio)

Senator Kintner requested a roll call vote.

The Committee on Committees report was approved with 39 ayes, 3 nays, 6 present and not voting, and 1 excused and not voting.

**ANNOUNCEMENT(S)**

The Committee on Committees elected Senator Smith as Vice Chairperson.

**BILLS ON FIRST READING**

The following bills were read for the first time by title:

**LEGISLATIVE BILL 110.** Introduced by Kolterman, 24.

A BILL FOR AN ACT relating to retirement; to amend sections 2-3228, 12-101, 14-567, 14-1805.01, 14-2111, 15-1017, 16-1017, 16-1037, 19-3501, 23-1118, 23-3526, 71-1631.02, 79-987, 84-304, 84-304.02, and 84-1503, Revised Statutes Cumulative Supplement, 2016; to change duties and provisions relating to annual reporting requirements for certain retirement plans as prescribed; to change the duties of the Auditor of Public Accounts and the Public Employees Retirement Board; to eliminate obsolete provisions; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 111.** Introduced by Hansen, 26.

A BILL FOR AN ACT relating to county officers; to amend sections 32-517, 32-518, 32-519, 32-520, 32-521, 32-522, 32-523, 32-524, 32-525, 32-526, 32-528, 32-529, and 32-609, Reissue Revised Statutes of Nebraska; to provide for nomination and election of county officers on the nonpartisan ballot; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 112.** Introduced by Hansen, 26.

A BILL FOR AN ACT relating to elections; to amend sections 32-202, 32-314, 32-329, 32-915, 32-929, 32-933, 32-935, 32-936, 32-1002, 32-1530, and 32-1532, Reissue Revised Statutes of Nebraska; to provide duties for the Secretary of State; to change provisions relating to voter registration and provisional ballots; to authorize provisional ballots for registered voters changing residence within Nebraska; to harmonize provisions; to provide operative dates; and to repeal the original sections.

**LEGISLATIVE BILL 113.** Introduced by Hansen, 26.

A BILL FOR AN ACT relating to municipalities; to amend sections 10-119, 12-401, 14-101, 14-117, 15-101, 15-102, 16-101, 17-301, 17-310, 17-311, 18-1753, 19-401, 19-414, 19-415, 19-418, 19-501, 19-602, 19-1102, 19-1827, 19-5101, 23-204, 31-501, 31-508, 32-538, 32-539, 39-207, 39-1328.01, 39-1804, 39-2103, 39-2106, 48-307, 48-1209.01, 53-124.14, 60-680, 60-6,120, 60-6,190, 70-408, 70-604.01, 79-407, 81-1417, 81-1430, 81-2102, 81-2107, 81-2109, and 81-2110, Reissue Revised Statutes of Nebraska, and sections 13-2705, 16-222.02, 17-101, 17-201, 17-306.01, 17-312, 17-313, 18-2709, 19-1101, 19-3501, 44-5502, 71-3305, 77-3,119, 81-8,122.01, and 81-15,153, Revised Statutes Cumulative Supplement, 2016; to change population thresholds of municipalities; to provide for a process by which a city of the primary class becomes a city of the metropolitan class; to change provisions regarding publication requirements; to eliminate obsolete provisions; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 114.** Introduced by Craighead, 6.

A BILL FOR AN ACT relating to the Nebraska Rules of the Road; to amend sections 60-6,220, 60-6,221, and 60-6,222, Reissue Revised Statutes of Nebraska, and section 60-6,219, Revised Statutes Cumulative Supplement, 2016; to change provisions relating to motor vehicle lighting requirements; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 115.** Introduced by Harr, 8.

A BILL FOR AN ACT relating to state funds; to direct the Nebraska Tourism Commission to provide for certain uses of a fund.

**LEGISLATIVE BILL 116.** Introduced by Harr, 8.

A BILL FOR AN ACT relating to motor vehicles; to amend section 60-310, Revised Statutes Cumulative Supplement, 2016; to redefine the term automobile liability policy and change coverage provisions; and to repeal the original section.

**LEGISLATIVE BILL 117.** Introduced by Hilkemann, 4.

A BILL FOR AN ACT relating to public health and welfare; to adopt the Investigational Drug Use Act.

**LEGISLATIVE BILL 118.** Introduced by Hilkemann, 4.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-2716, Revised Statutes Cumulative Supplement, 2016; to adopt the Education Savings Account Act; to provide income tax adjustments; to provide an operative date; and to repeal the original section.

**LEGISLATIVE BILL 119.** Introduced by Groene, 42; Stinner, 48.

A BILL FOR AN ACT relating to the Tax Equity and Educational Opportunities Support Act; to amend sections 79-1022.02, 79-1027, and 79-1031.01, Reissue Revised Statutes of Nebraska, and sections 79-1022 and 79-1023, Revised Statutes Cumulative Supplement, 2016; to change the determination and certification dates relating to distribution of aid, certification of certain budget limitations as prescribed, and duties of the Appropriations Committee of the Legislature; to harmonize provisions; to repeal the original sections; and to declare an emergency.

**LEGISLATIVE BILL 120.** Introduced by Schumacher, 22.

A BILL FOR AN ACT relating to the Medical Assistance Act; to amend section 68-911, Revised Statutes Cumulative Supplement, 2016; to require a state plan amendment relating to coverage for family planning services; to state intent relating to appropriations; to repeal the original section; and to declare an emergency.

**LEGISLATIVE BILL 121.** Introduced by Kintner, 2; Brewer, 43.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-2716, Revised Statutes Cumulative Supplement, 2016; to change provisions relating to the taxation of military retirement benefits; and to repeal the original section.

**LEGISLATIVE BILL 122.** Introduced by Pansing Brooks, 28.

A BILL FOR AN ACT relating to families; to define terms; to provide for family member visitation petitions as prescribed; to provide for a hearing; and to provide for costs and fees as prescribed.

**LEGISLATIVE BILL 123.** Introduced by Pansing Brooks, 28.

A BILL FOR AN ACT relating to postsecondary educational institutions; to amend sections 85-173, 85-2401, 85-2403, and 85-2405, Reissue Revised Statutes of Nebraska; to define and redefine terms; to provide duties; to establish the Guaranty Recovery Cash Fund; to assess for-profit postsecondary institutions; to require bonds or other security agreements; to authorize claims resulting from the termination of operations; to change and eliminate provisions relating to educational institutions ceasing to function; to harmonize provisions; to repeal the original sections; and to outright repeal section 85-175, Reissue Revised Statutes of Nebraska.

**LEGISLATIVE BILL 124.** Introduced by Baker, 30; Groene, 42; Hilkemann, 4; Hughes, 44; Kolterman, 24; Krist, 10; Stinner, 48; Williams, 36.

A BILL FOR AN ACT relating to community colleges; to amend section

85-1534, Reissue Revised Statutes of Nebraska; to change a probationary period for teaching staff; to provide an operative date; to repeal the original section; and to declare an emergency.

**LEGISLATIVE BILL 125.** Introduced by Brasch, 16.

A BILL FOR AN ACT relating to the Livestock Brand Act; to amend sections 54-1,120 and 54-1,122.01, Revised Statutes Cumulative Supplement, 2016; to change application and fee requirements for registered feedlots and dairies; and to repeal the original sections.

**LEGISLATIVE BILL 126.** Introduced by Groene, 42.

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 77-2912 and 77-5725, Revised Statutes Cumulative Supplement, 2016; to change sunset dates under the Nebraska Job Creation and Mainstreet Revitalization Act and the Nebraska Advantage Act; and to repeal the original sections.

**LEGISLATIVE BILL 127.** Introduced by Groene, 42.

A BILL FOR AN ACT relating to the Open Meetings Act; to amend section 84-1411, Reissue Revised Statutes of Nebraska; to change provisions relating to notice of meetings of public bodies; and to repeal the original section.

**LEGISLATIVE BILL 128.** Introduced by Groene, 42.

A BILL FOR AN ACT relating to public assistance; to amend section 68-1017.02, Revised Statutes Cumulative Supplement, 2016; to change provisions relating to ineligibility for Supplemental Nutrition Assistance Program benefits as prescribed; and to repeal the original section.

**LEGISLATIVE BILL 129.** Introduced by Morfeld, 46.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-2715.07, Revised Statutes Cumulative Supplement, 2016; to increase the earned income tax credit; and to repeal the original section.

**LEGISLATIVE BILL 130.** Introduced by Urban Affairs Committee: Wayne, 13, Chairperson; Crawford, 45; Hansen, 26; Howard, 9; Larson, 40; Quick, 35; Riepe, 12.

A BILL FOR AN ACT relating to annexation; to amend sections 31-763, 31-764, 31-765, 31-766, and 35-514, Reissue Revised Statutes of Nebraska; to change provisions relating to annexation by municipalities of a sanitary and improvement district, road improvement district, or fire protection district; to harmonize provisions; and to repeal the original sections.



**LEGISLATIVE BILL 131.** Introduced by Urban Affairs Committee: Wayne, 13, Chairperson; Crawford, 45; Hansen, 26; Howard, 9; Larson, 40; Quick, 35; Riepe, 12.

A BILL FOR AN ACT relating to cities and villages; to amend section 18-2901, Reissue Revised Statutes of Nebraska; to change a requirement for the territory of an urban growth district as prescribed; to change a provision relating to urban growth bonds and refunding bonds; and to repeal the original section.

**LEGISLATIVE BILL 132.** Introduced by Urban Affairs Committee: Wayne, 13, Chairperson; Crawford, 45; Hansen, 26; Howard, 9; Larson, 40; Quick, 35; Riepe, 12.

A BILL FOR AN ACT relating to cities of the first class; to amend sections 16-622, 16-623, 16-901, and 16-902, Revised Statutes Cumulative Supplement, 2016; to change provisions relating to improvement districts and extraterritorial zoning jurisdictions; and to repeal the original sections.

**LEGISLATIVE BILL 133.** Introduced by Urban Affairs Committee: Wayne, 13, Chairperson; Crawford, 45; Hansen, 26; Howard, 9; Larson, 40; Quick, 35; Riepe, 12.

A BILL FOR AN ACT relating to cities of the second class and villages; to amend sections 17-105, 17-106, 17-107, 17-108, 17-108.02, 17-112, 17-113, 17-114, 17-117, 17-118, 17-119, 17-120, 17-121, 17-122, 17-124, 17-126, 17-127, 17-129, 17-130, 17-131, 17-132, 17-134, 17-136, 17-137, 17-138, 17-139, 17-140, 17-141, 17-142, 17-143, 17-145, 17-146, 17-147, 17-148, 17-149, 17-150, 17-151, 17-153, 17-154, 17-155, 17-157, 17-158, 17-159, 17-160, 17-161, 17-162, 17-163, 17-164, 17-165, 17-166, 17-167, 17-168, 17-169, 17-170, 17-171, 17-172, 17-174, 17-201.01, 17-202, 17-204, 17-205, 17-206, 17-207.01, 17-208, 17-209, 17-209.02, 17-210, 17-211, 17-212, 17-213, 17-214, 17-215, 17-216, 17-217, 17-218, 17-219, 17-219.01, 17-219.02, 17-219.03, 17-220, 17-222, 17-223, 17-224, 17-225, 17-229, 17-230, 17-231, 17-301, 17-302, 17-303, 17-304, 17-308, 17-309, 17-310, 17-311, 17-401, 17-402, 17-403, 17-404, 17-405, 17-405.01, 17-405.02, 17-405.03, 17-405.04, 17-405.05, 17-406, 17-407, 17-412, 17-414, 17-415, 17-416, 17-417, 17-418, 17-419, 17-420, 17-421, 17-422, 17-423, 17-424, 17-425, 17-426, 17-501, 17-502, 17-503, 17-503.02, 17-504, 17-505, 17-507, 17-508, 17-508.02, 17-509, 17-513, 17-514, 17-515, 17-516, 17-518, 17-519, 17-520, 17-521, 17-522, 17-523, 17-524, 17-526, 17-527, 17-528, 17-528.02, 17-528.03, 17-529, 17-529.01, 17-529.02, 17-529.03, 17-529.05, 17-529.06, 17-529.07, 17-529.08, 17-530, 17-531, 17-532, 17-533, 17-534, 17-535, 17-536, 17-537, 17-538, 17-540, 17-541, 17-542, 17-543, 17-545, 17-546, 17-547, 17-548, 17-549, 17-550, 17-551, 17-552, 17-554, 17-556, 17-557, 17-558, 17-559, 17-560, 17-561, 17-564, 17-565, 17-566, 17-567, 17-568, 17-568.01, 17-568.02, 17-569, 17-570, 17-571, 17-572, 17-601.01, 17-601.02, 17-602, 17-603, 17-604, 17-607, 17-608, 17-609, 17-610, 17-611, 17-612, 17-613, 17-615, 17-616,

17-701, 17-702, 17-703, 17-706, 17-708, 17-709, 17-710, 17-711, 17-713, 17-714, 17-715, 17-718, 17-720, 17-801, 17-802, 17-802.01, 17-803, 17-804, 17-805, 17-806, 17-807, 17-808, 17-810, 17-903, 17-905, 17-905.01, 17-906, 17-907, 17-908, 17-909, 17-910, 17-911, 17-912, 17-914, 17-916, 17-917, 17-918, 17-919, 17-920, 17-922, 17-923, 17-924, 17-925, 17-925.01, 17-925.02, 17-925.03, 17-925.04, 17-926, 17-933, 17-935, 17-936, 17-937, 17-938, 17-939, 17-940, 17-942, 17-943, 17-946, 17-947, 17-948, 17-949, 17-950, 17-951, 17-952, 17-953, 17-953.01, 17-954, 17-955, 17-957, 17-958, 17-959, 17-960, 17-962, 17-963, 17-964, 17-965, 17-966, 17-967, 17-968, 17-969, 17-970, 17-973, 17-974, 17-976, and 17-1003, Reissue Revised Statutes of Nebraska, and sections 17-101, 17-104, 17-110, 17-111, 17-123, 17-123.01, 17-149.01, 17-201, 17-207, 17-306.01, 17-312, 17-313, 17-510, 17-511, 17-512, 17-525, 17-539, 17-555, 17-557.01, 17-563, 17-605, 17-606, 17-614, 17-913, 17-921, 17-934, 17-941, 17-945, 17-971, 17-1001, and 17-1002, Revised Statutes Cumulative Supplement, 2016; to change provisions relating to cities of the second class and villages; to provide, change, and eliminate notice requirements; to provide and change powers and duties; to eliminate provisions relating to the regulation of business and amusements on Sunday and provisions relating to railroads; to provide duties for the Revisor of Statutes; to harmonize provisions; to repeal the original sections; and to outright repeal sections 17-128, 17-133, 17-135, 17-144, and 17-915, Reissue Revised Statutes of Nebraska.

**LEGISLATIVE BILL 134.** Introduced by Brasch, 16.

A BILL FOR AN ACT relating to agriculture; to amend sections 81-2,262, 81-2,263, 81-2,270, 81-2,271, 81-2,272.31, 81-2,281, 81-2,288, and 90-538, Reissue Revised Statutes of Nebraska, and sections 81-2,239 and 81-2,240, Revised Statutes Cumulative Supplement, 2016; to define terms; to change provisions of the Nebraska Pure Food Act; to provide for the regulation of eggs for human consumption as prescribed; to provide requirements and an exception for a food delivery service; to authorize facility, food, and records inspections by the Department of Agriculture as prescribed; to transfer funds to the Pure Food Cash Fund; to repeal the Nebraska Graded Egg Act and terminate the Graded Egg Fund; to eliminate penalties; to harmonize provisions; to repeal the original sections; and to outright repeal sections 2-3501, 2-3502, 2-3503, 2-3504, 2-3505, 2-3506, 2-3507, 2-3508, 2-3509, 2-3510, 2-3511, 2-3512, 2-3513, 2-3514, 2-3515, 2-3516, 2-3518, 2-3519, 2-3520, 2-3521, 2-3522, 2-3523, 2-3524, and 2-3525, Reissue Revised Statutes of Nebraska.

**RESOLUTION(S)**

**LEGISLATIVE RESOLUTION 5.** Introduced by Larson, 40.

WHEREAS, the 2016 O'Neill Public High School football team won the State Class C-1 Football Championship by defeating Bishop Neumann 39 to 22; and

WHEREAS, the 2016 O'Neill Public High School football team won the school's first state championship football title in school history; and

WHEREAS, the 2016 O'Neill Public High School football team completed the championship season with an undefeated record of 13 wins and 0 losses; and

WHEREAS, the Legislature recognizes the academic, athletic, and artistic achievements of the youth of our state.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED FIFTH LEGISLATURE OF NEBRASKA, FIRST SESSION:

1. That the Legislature congratulates the 2016 O'Neill Public High School football team on winning the State Class C-1 Football Championship.

2. That a copy of this resolution be sent to the 2016 O'Neill Public High School football team and Coach Brock Eichelberger.

Laid over.

### **VISITOR(S)**

Visitor to the Chamber was Macy Lloyd from UNL.

The Doctor of the Day was Dr. Rob Rhodes from Lincoln.

### **ADJOURNMENT**

At 11:40 a.m., on a motion by Speaker Scheer, the Legislature adjourned until 9:00 a.m., Monday, January 9, 2017.

Patrick J. O'Donnell  
Clerk of the Legislature



**FOURTH DAY - JANUARY 9, 2017**  
**LEGISLATIVE JOURNAL**  
**ONE HUNDRED FIFTH LEGISLATURE**  
**FIRST SESSION**

**FOURTH DAY**

Legislative Chamber, Lincoln, Nebraska  
Monday, January 9, 2017

**PRAYER**

The prayer was offered by Senator Watermeier.

**ROLL CALL**

Pursuant to adjournment, the Legislature met at 9:00 a.m., President Foley presiding.

The roll was called and all members were present except Senator Groene who was excused until he arrives.

**CORRECTIONS FOR THE JOURNAL**

The Journal for the third day was approved.

**REFERENCE COMMITTEE REPORT**

The Legislative Council Executive Board submits the following report:

<b>LB/LR</b>	<b>Committee</b>
LB1	General File
LB2	General File
LB3	General File
LB4	General File
LB5	General File
LB6	Executive Board
LB7	Judiciary
LB8	Judiciary
LB9	Urban Affairs
LB10	Judiciary
LB11	Judiciary
LB12	Revenue
LB14	Education
LB15	Revenue
LB16	Banking, Commerce and Insurance
LB17	Banking, Commerce and Insurance

LB18	Health and Human Services
LB19	Health and Human Services
LB20	Revenue
LB21	Banking, Commerce and Insurance
LB22	Appropriations
LB23	Appropriations
LB24	Appropriations
LB25	Government, Military and Veterans Affairs
LB26	Judiciary
LB27	Government, Military and Veterans Affairs
LB29	Nebraska Retirement Systems
LB30	Nebraska Retirement Systems
LB31	Nebraska Retirement Systems
LB32	Nebraska Retirement Systems
LB33	Health and Human Services
LB34	Government, Military and Veterans Affairs
LB35	Banking, Commerce and Insurance
LB36	Government, Military and Veterans Affairs
LB37	Judiciary
LB38	Government, Military and Veterans Affairs
LB39	Judiciary
LB40	Transportation and Telecommunications
LB41	Transportation and Telecommunications
LB42	Transportation and Telecommunications
LB43	Transportation and Telecommunications
LB44	Revenue
LB45	Transportation and Telecommunications
LB46	Transportation and Telecommunications
LB47	Judiciary
LB48	Revenue
LB49	Revenue
LB50	Health and Human Services
LB51	Revenue
LB52	Revenue
LB53	Judiciary
LB54	Transportation and Telecommunications
LB55	Transportation and Telecommunications
LB56	Banking, Commerce and Insurance
LB57	Judiciary
LB58	Education
LB59	Health and Human Services
LB60	Judiciary
LB61	Health and Human Services
LB62	Education
LB63	Revenue
LB64	Health and Human Services
LB65	Revenue
LB66	Banking, Commerce and Insurance
LB67	Judiciary

LB68 Government, Military and Veterans Affairs  
 LB69 Revenue  
 LB70 Transportation and Telecommunications  
 LB71 Appropriations  
 LB72 Banking, Commerce and Insurance  
 LB73 General Affairs  
 LB74 Urban Affairs  
 LB75 Government, Military and Veterans Affairs  
 LB76 Government, Military and Veterans Affairs  
 LB77 Revenue  
 LB78 Transportation and Telecommunications  
 LB79 Nebraska Retirement Systems  
 LB80 Government, Military and Veterans Affairs  
 LB81 Judiciary  
 LB82 Transportation and Telecommunications  
 LB83 Transportation and Telecommunications  
 LB84 Judiciary  
 LB85 Government, Military and Veterans Affairs  
 LB86 Transportation and Telecommunications  
 LB87 Natural Resources  
 LB88 Health and Human Services  
 LB89 Government, Military and Veterans Affairs  
 LB90 Government, Military and Veterans Affairs  
 LB91 Health and Human Services  
 LB92 Banking, Commerce and Insurance  
 LB93 Judiciary  
 LB94 Nebraska Retirement Systems  
 LB95 Urban Affairs  
 LB96 Banking, Commerce and Insurance  
 LB97 Urban Affairs  
 LB98 Revenue  
 LB99 Banking, Commerce and Insurance  
 LB100 Judiciary  
 LB101 Government, Military and Veterans Affairs  
 LR1CA Government, Military and Veterans Affairs  
 LR3 Executive Board

Ashburn, William - Motor Vehicle Industry Licensing Board -  
 Transportation and Telecommunications  
 Aspen, Gwenn - Coordinating Commission for Postsecondary Education -  
 Education  
 Bader, Stephan - Nebraska Arts Council - General Affairs  
 Berggren, Patrick - Game and Parks Commission - Natural Resources  
 Brandt, Henry Rick - Game and Parks Commission - Natural Resources  
 Buckendahl, Chad W. - Technical Advisory Committee for Statewide  
 Assessment - Education  
 Budke, Stephan - Motor Vehicle Industry Licensing Board - Transportation  
 and Telecommunications  
 Davis, Jeffrey - Crime Victim's Reparations Committee - Judiciary

Dixon, Roger - Nebraska Tourism Commission - Government, Military and Veterans Affairs  
Ernst, James - Game and Parks Commission - Natural Resources  
Feller, Helen Abbott - State Racing Commission - General Affairs  
Gard, Randy - Nebraska Ethanol Board - Natural Resources  
Glidden, Mitch - Nebraska Tourism Commission - Government, Military and Veterans Affairs  
Greckel, Shane - Nebraska Information Technology Commission - Transportation and Telecommunications  
Hanus, Mary Beth - Nebraska Child Abuse Prevention Fund Board - Health and Human Services  
Henning, Candy - Nebraska Arts Council - General Affairs  
Hoffman, Dennis - Nebraska State Fair Board - Agriculture  
Kelly, Joe P. - Crime Victim's Reparations Committee - Judiciary  
Knoche, Lisa - Nebraska Child Abuse Prevention Fund Board - Health and Human Services  
Marvin, Melissa - Nebraska Arts Council - General Affairs  
Moody, Tony - Nebraska Tourism Commission - Government, Military and Veterans Affairs  
Pflueger, Paula L. - Nebraska Arts Council - General Affairs  
Sanders, Rita G. - Crime Victim's Reparations Committee - Judiciary  
Schlegel, Carol - Nebraska Tourism Commission - Government, Military and Veterans Affairs  
Schworer, Dennis - Motor Vehicle Industry Licensing Board - Transportation and Telecommunications  
Shanahan, Mary - State Personnel Board - Government, Military and Veterans Affairs  
Spray, Daniel - Nebraska Information Technology Commission - Transportation and Telecommunications  
Williams, Thomas L. - Chief Medical Officer, Division of Public Health - Department of Health and Human Services - Health and Human Services  
Wright, Reven - Nebraska Arts Council - General Affairs

(Signed) Dan Watermeier, Chairperson  
Executive Board

### COMMUNICATION(S)

December 13, 2016

Mr. Patrick O'Donnell  
Clerk of the Legislature  
Room 2018  
State Capitol Building  
P.O. Box 94604  
Lincoln, Nebraska 68509-4604

Dear Mr. O'Donnell:



Pursuant to the Provisions of Section 85-408, R.R.S. of Nebraska, 1943, Legislative approval is required for the following University of Nebraska projects:

**University of Nebraska - Lincoln, Demolition of Cather Hall, Pound Hall, and the Cather-Pound Dining Center (CPD Demolition).** The proposed project will demolish Cather Hall, Pound Hall and Cather-Pound Dining Center on the University of Nebraska - Lincoln, City Campus. The Board of Regents authorized this expenditure at its November 18, 2016 meeting. The total project is estimated to cost \$7,300,000.

This expenditure relates to the Bond Resolution dated December 1, 1964, authorizing the issuance of revenue bonds to finance the construction or acquisition and furnishing and equipping of buildings and facilities of the type specified in the Act on the University of Nebraska Lincoln campus, and under which a surplus fund and a replacement fund were created.

In order to operate efficiently and maintain maximum use and occupancy of the Facilities as defined under the 1964 resolution; the Board has issued its bonds under the 1964 Resolution to finance such Replacement Facilities as part of the Replacement Project; the revenues of such Replacement Facilities have been pledged for payment of the bonds issued under the 1964 Resolution; and additional funds are necessary to complete the demolition projects associated with the Replacement Project.

**Request.** The University requests approval of the CPD Demolition project to be financed from the Surplus Fund, held under the 1964 Resolution, to the Replacement Fund in the amount of \$7,300,000.

**University of Nebraska - Omaha, University Village Roof Repairs.** The University of Nebraska at Omaha proposes to expend \$825,000 from the 1984 Replacement Fund. The funds would be used for roof repairs. The Board of Regents authorized this expenditure at its November 18, 2016 meeting. The total project is estimated to cost \$825,000.

This expenditure relates to the Bond Resolution dated May 1, 1984, authorizing the issuance of Revenue Bonds by the Board of Regents. The Board has heretofore issued revenue bonds payable from the revenues and fees derived from the ownership and operation of the dormitories and other facilities for the housing and boarding of students, student unions, student health facilities and other facilities for the activities of students located on the campus of the University of Nebraska at Omaha, under which a 1995 Surplus Fund was created.

Section 6.2 of the Resolution requires the Board to operate the facilities in an efficient, sound and economical manner and to keep all facilities and betterments thereto in good repair, working order and condition and to make all necessary and proper repairs, renewals, replacements, additions, extension and betterments thereto, so that at all times the business carried on in connection therewith shall be properly and advantageously conducted.

**Request.** The University requests approval of the University Village Roof Repairs project in the amount of \$825,000 financed from the University of Nebraska at Omaha Student Fees and Facilities Revenue Bond Surplus Funds.

Attached for your reference are the agenda items and resolutions approved by the Board of Regents.

Thank you for your consideration of these projects.

Respectfully submitted,  
(Signed) Carmen K. Maurer  
Corporation Secretary

January 6, 2017

Senator Dan Watermeier  
Chairperson, Executive Board  
Room 2108  
State Capitol  
Lincoln, NE 68509

Dear Senator Watermeier,

Enclosed is correspondence from Carmen K. Maurer, Corporation Secretary for the Office of the President of the University of Nebraska. The correspondence relates to expenditure of bond funds for the following:

University of Nebraska at Lincoln-Demolition of Cather Hall, Pound Hall, and the Cather-Pound Dining Center.

University of Nebraska at Omaha-University Village Roof Repairs.

I am forwarding this correspondence to you for Executive Board action.

Sincerely,  
(Signed) Patrick J. O'Donnell  
Clerk of the Legislature

PJO:ck

enclosure

### REFERENCE COMMITTEE REPORT

The Legislative Council Executive Board referred the University of Nebraska's request to issue revenue bonds to the Appropriations Committee for further consideration.

(Signed) Dan Watermeier, Chairperson  
Executive Board

### REPORT OF REGISTERED LOBBYISTS

Following is a list of all lobbyists who have registered as of January 8, 2017, in accordance with Section 49-1481, Revised Statutes of Nebraska. Additional lobbyists who have registered will be filed weekly.

(Signed) Patrick J. O'Donnell  
Clerk of the Legislature

Abboud, Chris - Public Affairs Group  
DraftKings Inc.  
Manheims Omaha Auto Auction  
MasterCard  
Abraham, Christine K  
League of Nebraska Municipalities  
Adair, Peggy  
League of Women Voters of Greater Omaha  
Adams, Greg  
Nebraska Community College Association  
Adams, John H.  
International Gamco, Inc.  
Allen, Jennifer  
Nebraska Total Care  
Alston, Garth R.  
Altria Client Services LLC and its Affiliates  
Amack, Angela K.  
Center for People in Need  
Everytown for Gun Safety Action Fund  
Grand Island Public Schools  
International Brotherhood of Electrical Workers (IBEW)  
Nebraska Professional Fire Fighters Association (NPFFA)  
American Communications Group, Inc.  
American Cancer Society Cancer Action Network  
American Heart Association  
Association of Surgical Technologists  
Autism Speaks  
Center for Rural Affairs  
EHPV Lottery Services LLC aka Big Red Keno

Empyrean Brewing Company  
Friends of Public Health in Nebraska  
Health Center Association of Nebraska  
Legal Aid of Nebraska  
Nebraska Association of Behavioral Health Organizations  
Nebraska Association of Public Employees NAPE/AFSCME Local 61  
Nebraska Board of Engineers and Architects  
Nebraska Chapter of the American Physical Therapy Association  
Nebraska Child Health and Education Alliance  
Nebraska Dental Assistants Association  
Nebraska Investment Finance Authority  
Nebraska Psychological Association  
Nebraska Society for Respiratory Care  
Nebraska Speech-Language-Hearing Association (NSLHA)  
Nebraska State AFL-CIO  
North Central States Regional Council of Carpenters  
Regions II and V  
Research Nebraska!  
Teamsters Local Union 554  
The Nebraska Coalition for Lifesaving Cures  
Vigilnet America LLC  
Wind Coalition, The  
YMCA's of Nebraska  
Anderson, Shannon M  
    Licensed Practical Nurse Association of Nebraska (LPNAN)  
    Nebraska Health Care Association, Inc.  
Babcock, Marsha L.  
    Mechanical Contractors Association of Omaha, Inc.  
Badeer, Debra A.  
    Nebraska Christian Home Educators Association  
Baier, Richard J.  
    Nebraska Bankers Association  
Baird Holm LLP  
    BHE Renewables, LLC  
    Bluestem Energy Solutions  
    Dundee Bank  
    Geronimo Energy, LLC  
    Great Plains Chapter of the American Society of Landscape Architects  
    Immanuel Retirement Communities  
    Nebraska Craft Brewers Guild  
    Northeast Nebraska Public Power District  
    Sandhills Wind Energy, LLC  
    Turner Park North, LLC  
Barrett, John R.  
    Great Plains Communications, Inc.  
Bartling, Kelly  
    University of Nebraska  
Becker, Jill  
    Black Hills Energy

Becker, Timothy  
Heartland Strategy Group, LLC

Beermann, Allen J.  
Nebraska Press Association

Behmer, Nicole  
Jensen Rogert Associates, Inc.

Belka, Matt  
Nebraska Association of School Boards

Bell, David  
Loup River Public Power District

Benjamin, Melody  
Nebraska Cattlemen, Inc.

Benske, John  
Amgen

Beyer, Nolan  
Millard Public Schools

Blakely, Cassandra  
Nebraska Children and Families Foundation

Blunt, Andrew B.  
General Motors LLC

Boddy, Heath  
Nebraska Health Care Association, Inc.

Bohrer, Bruce J.  
Lincoln Chamber of Commerce

Bolen, Holley  
Bruning Law Group

Bonaiuto, John A.  
Nebraska Association of School Boards

Borgeson, Robert A.  
SMART-TD

Bourke, Nick  
Pew Charitable Trusts, The

Bowling, Karen  
Nebraska Family Alliance

Bradford, Jonathan  
Kissel/E&S Associates, LLC

Brady, Justin J.  
Radcliffe, Walter H. of Radcliffe and Associates

Brandt, Horan, Hallstrom and Stilmock  
National Federation of Independent Business (NFIB)  
Nebraska Bankers Association  
Nebraska Bankers Insurance and Services Company (NBISCO)  
Nebraska Fire Chiefs' Association  
Nebraska Pharmacists Association  
Nebraska State Volunteer Firefighters' Association  
Nebraskans for Workers' Compensation Equity and Fairness  
NetWorks, Inc.

Bredenkamp, Troy  
Nebraska Rural Electric Association

Bromm Nielsen & Mines  
3M COMPANY  
Aflac  
AHIP - America's Health Insurance Plans  
Cameco Resources  
Cargill  
Education Service Unit #3  
Educational Service Unit Coordinating Council  
Express Scripts Holding Co.  
Johnson & Johnson  
Mark Anthony Brands  
Merck Sharp and Dohme Corp.  
National Association of Insurance and Financial Advisors (NAIFA)  
Nebraska Agri-Business Association  
Nebraska Cable Communications Association  
Nebraska Corn Growers Association  
Nebraska Hotel & Lodging Association, Inc.  
Nebraska Humane Society  
Nebraska Insurance Information Service  
Nebraska Medical Center  
Nebraska State Athletic Trainers Association  
Papio Valley Preservation Association, Inc.  
Springfield Platteview Community Schools  
State Farm Insurance Companies  
Syngenta  
Verizon Communications, Inc.

Bromm, Curt  
Bromm Nielsen & Mines

Bromm, Jason  
Bromm Nielsen & Mines

Brown, Jill  
University of Nebraska

Bruckner, Traci  
Women's Fund of Greater Omaha, Inc.

Bruning Law Group  
amazon.com  
Bluestem Energy Solutions  
Facebook  
Johnson Controls, Inc.  
Kissel/E&S Associates, LLC  
National Rifle Association  
Nebraska Appropriated Basin Coalition  
Nebraska Licensed Beverage Association  
TracFone Wireless, Inc.  
Workday

Bruning, Deonne  
U.S. Cellular

Bruning, Jon  
Bruning Law Group

Buettner, Jeffrey J.  
Central Nebraska Public Power and Irrigation  
Carstenson, Eric B.  
Nebraska Telecommunications Association  
Carter, Jennifer  
FBLincoln  
Food Bank of the Heartland  
Cavanaugh Law Firm, P.C., L.L.O.  
Explore Information Services  
Independent Insurance Agents of Nebraska  
Nebraska Chapter of the Sierra Club  
Cavanaugh, James P.  
Cavanaugh Law Firm, P.C., L.L.O.  
Cheloha, John A.  
City of Omaha  
Chittenden, Michael J.  
Arc of Nebraska, The  
Christensen, Graham  
GC Resolve, LLC  
GC ReVOLT, LLC  
Clements, Steven J.  
Nebraska Investment Finance Authority  
Conrad, Danielle  
ACLU Nebraska  
Cookson, David D.  
Bruning Law Group  
Cover, Joni  
Nebraska Pharmacists Association  
CP Strategies LLC  
Nebraska Petroleum Producers Association  
Nebraska Total Care  
Creager, Jennifer  
Greater Omaha Chamber  
Cunningham, Colleen  
Equal Justice USA  
Davidson Tribbs, Emma  
Everytown for Gun Safety Action Fund  
Davis, Timothy  
New Hope 4 Lungs  
Dibbern, Chris  
Nebraska Municipal Power Pool  
Dietrich, Paige  
Center for Rural Affairs  
Dix, Larry J.  
Nebraska Association of County Officials  
Dobler, James B.  
Nebraska Insurance Information Service  
Professional Insurance Agents of Nebraska

Dubas, Annette  
Nebraska Association of Behavioral Health Organizations

Dudley, William H.  
Aflac

Dukesherer, James  
Nebraska Rural Electric Association

Dulaney, Michael S.  
Nebraska Council of School Administrators

Dunning, Eric  
Blue Cross and Blue Shield of Nebraska

Dunning, Matthew  
Nebraska Association of School Boards

Dwyer, Micheal  
Nebraska State Volunteer Firefighters' Association

Edson, Dean E.  
Nebraska Association of Resources Districts

Edwards, Jon  
Nowka and Edwards

Eickholt, Christopher  
ACLU Nebraska  
Nebraska Criminal Defense Attorneys Association

Erickson, Julie S.  
American Communications, Inc.

Ernst, Dan E.  
Nebraska Council of School Administrators

Falk, W. Jarad  
Charter Communications, Inc.

Faustman, Nicholas  
American Cancer Society Cancer Action Network

Ferrell, Beth Bazyn  
Nebraska Association of County Officials

Field, Laura  
Nebraska Cattlemen, Inc.

Foster, Susan  
Lincoln Education Association

Fox, Nicole  
Platte Institute for Economic Research

Fraizer, Theodore D. (Tad)/Fraizer & Fraizer  
American Insurance Association  
Mutual of Omaha

Frickel, Cheryl  
Nebraska Occupational Therapy Association

Frohman, Ann M.  
Ameritas Life Insurance Corp.

Fry, Renee  
OpenSky Policy Institute

Gay, Tim  
Husch Blackwell LLP



Gerloff, Jerianne  
Pfizer Inc.

Gerrard, Eric  
American Communications, Inc.  
City of Lincoln

Gilbert, Randall  
Gilbert, Randall

Gilbertson, Korby M.  
Radcliffe, Walter H. of Radcliffe and Associates

Girthoffer, Garner R.  
Baird Holm LLP

Goettmoeller, Jennifer M.  
First Five Nebraska

Gokie, Mark T.  
Farmers Mutual of Nebraska

Gottschalk, Kristen  
Nebraska Rural Electric Association

Grasz, Nate  
Nebraska Family Alliance

Grasz, Steve  
Husch Blackwell LLP

Habben, Jon  
Nebraska Rural Community Schools Association

Hack, Mace A.  
Nature Conservancy, The

Hale, Andy  
Nebraska Hospital Association

Hallstrom, Robert  
Brandt, Horan, Hallstrom and Stilmock

Hamilton, Hallie  
Nebraska Family Alliance

Handshy, Brian  
Renovate America, Inc.

Hansen, John K.  
Nebraska Farmers Union

Hapgood, Wade  
United Healthcare Services, Inc.

Harrold, Michael D.  
Express Scripts Holding Co.

Harrold, Patricia  
Nebraska Firearms Owners Association (NFOA)

Hartmann, William  
Nebraska One-Call Notification Center

Harvey, William F.  
EHPV Lottery Services LLC aka Big Red Keno  
Vigilnet America LLC

Hayes, Jason W.  
Nebraska State Education Association

Heartland Strategy Group, LLC  
Blue Cross and Blue Shield of Nebraska  
Consumer Technology Association  
Omaha Professional Firefighters Association  
Hebb, Jeff  
Nebraska Realtors Association  
Herrmann, Jessica  
Nebraska Cattlemen, Inc.  
Higgins, Shirley  
Nebraska Public Power District  
Hladik, Johnathan  
Center for Rural Affairs  
Hoke, John Gregory  
Biotechnology Innovation Organization  
Holmquist, David  
AARP Nebraska  
Huddle, Stephanie  
Nebraska Domestic Violence Sexual Assault Coalition  
Hunzeker, Mark A.  
Rath, Douglas and Kimberly  
Hurley, Rachel  
Monsanto  
Hurst, Elisabeth  
Nebraska Hospital Association  
Husch Blackwell LLP  
Ash Grove Cement Company  
Asurion LLC  
Blue Cross and Blue Shield of Nebraska  
Enhanced Capital  
Home Instead, Inc.  
Invenergy LLC  
Koch Companies Public Sector, LLC and Affiliates  
KVC Health Systems, Inc.  
Nebraska Chiropractic Physicians Association  
Nebraska Families Collaborative  
Nebraska Intergovernmental Risk Management Association  
NextEra Energy Resources, LLC  
Papillion - La Vista School District  
Papio-Missouri River Natural Resources District  
Sarpy County Board of Commissioners  
Waste Management, Inc.  
Intermill, Mark  
AARP Nebraska  
Irsik, Ryan  
Wal-Mart Stores, Inc.  
Jacobson, Mary  
Bruning Law Group  
Jarecke, David A.  
Nebraska Rural Electric Association

Jarecke, Kate Kulesher  
Novartis Services, Inc.  
Jarecke, Kate Kulesher - Advocacy and Issue Management Inc.  
Brain Injury Alliance of Nebraska  
Jensen Rogert Associates, Inc.  
Altria Client Services LLC and its Affiliates  
Associated Builders and Contractors, Inc.  
DentaQuest, LLC  
Eli Lilly and Company  
Industrial Energy Users of Nebraska  
Kissel/E&S Associates, LLC  
LeadingAge Nebraska  
Learning Community of Douglas and Sarpy Counties  
Magellan Health, Inc.  
Mosaic  
Nebraska Association of Nurse Anesthetists  
Nebraska Dental Hygienists' Association  
Nebraska Intellectual Disabilities Services Providers  
Nebraska Optometric Association  
Nebraska Podiatric Medical Association  
Ponca Tribe of Nebraska  
Statewide Property Owners' Association  
Trilogy Integrated Resources, LLC  
Jensen, Ronald L.  
Jensen Rogert Associates, Inc.  
Jess, Carol  
Jess, Carol  
Johnson, Larry  
Nebraska Trucking Association  
Johnson, Mary A.  
Mueller Robak, LLC  
Juhnke, Alan R  
Nebraska Pork Producers Association  
Kanger, Jeff  
Nebraska Catholic Conference  
Karl, Jamie  
Nebraska Chamber of Commerce & Industry  
Karnes, David K.  
EHPV Lottery Services LLC aka Big Red Keno  
Nebraska Investment Finance Authority  
Vigilnet America LLC  
Kay, Sara A.  
American Institute of Architects, Nebraska Chapter  
Keigher & Associates, LLC  
Credit Management Services  
Iowa-Nebraska Equipment Dealers Association  
MillerCoors, LLC  
Nebraska AirBoat Association  
Nebraska Aviation Trade Association

Nebraska Community College Association  
Nebraska Land Improvement Contractors Association  
Professional Towers Association of Nebraska  
Keigher, Timothy P.  
Keigher & Associates, LLC  
Nebraska Petroleum Marketers & Convenience Store Association  
Kelley Governmental Relations, LLC  
Metro Area Transit (O-Metro)  
Kelley Plucker, LLC  
Advantage Capital  
Bennington Public Schools  
Cigar Association of America, Inc.  
Community Alliance, Inc.  
Creighton University  
CVS Health  
Daily Record, The  
Douglas County, Nebraska  
Eastern Nebraska Human Services Agency  
EHPV Lottery Services LLC aka Big Red Keno  
Elevator Industry Work Preservation Fund  
Johnson Brothers of Nebraska  
Lamar Outdoor Advertising Company  
Nebraska Collectors Association  
Nebraska Credit Union League  
Nebraska School Activities Association  
Nebraska State Lodge of the Fraternal Order of Police  
Nowka and Edwards  
Omaha Police Officers Association  
WellCare Health Plans, Inc.  
Westside Community Schools  
Kennedy, Barry L.  
Nebraska Chamber of Commerce & Industry  
Kenny, Timothy R.  
Nebraska Investment Finance Authority  
Kilgarin, Karen  
Nebraska State Education Association  
Kingery, Shannon L.  
RAI Services Co. (Reynolds American Inc.)  
Kissel/E&S Associates, LLC  
American Petroleum Institute  
Associated Beverage Distributors of Nebraska  
Burlington Northern Sante Fe (BNSF) Railway Company  
Kaplan Higher and Professional Education c/o David Adams  
Lancaster County Board of Commissioners  
March of Dimes  
Metropolitan Area Planning Agency  
Nebraska Association of Regional Administrators  
Nebraska CASA Association  
Nebraska Cooperative Council

Nebraska County Court Association  
Nebraska Golf Alliance  
Nebraska Municipal Power Pool  
Nebraska Regional Officials Council  
Nebraska State Historical Society Foundation  
Professional Engineers Coalition  
Ralston Public School District  
Spectra Energy  
Telecare Corporation  
United Cities of Sarpy County  
Koch, Brandon  
Farmers Group, Inc.  
Kohout, Joseph D.  
Kissel/E&S Associates, LLC  
Kohout, Victoria  
Research Nebraska!  
Koops, Berend  
Merck Sharp and Dohme Corp.  
Kopacki, Christopher  
National Rifle Association  
Krannawitter, Brian  
American Heart Association  
Kruse, Dacia D.  
RAI Services Co. (Reynolds American Inc.)  
Kubat, Rick  
Metropolitan Utilities District  
Landwehr, Susan M.  
Eli Lilly and Company  
Lassen, Robert  
AARP Nebraska  
Lautenbaugh, Scott  
Retirement Security Initiative  
Levy, David C.  
Baird Holm LLP  
Likes, Steven C.  
Nebraska Investment Finance Authority  
Lindsay, John C.  
O'Hara Lindsay & Associates, Inc.  
Litt, Matthew J.  
Americans for Prosperity  
Loeffler, Michael T.  
Northern Natural Gas  
Logsdon, Robert R.  
Cox Communications  
Lombardi, Richard A.  
American Communications, Inc.  
Loontjer, Pat  
Gambling with the Good Life

Lostroh, David L.  
Nebraska Christian Home Educators Association

Ludwig, David M.  
Educational Service Unit Coordinating Council

Luebbe, Lori  
Nebraska Soybean Association

Luedtke, Joselyn  
Bromm Nielsen & Mines

Luetkenhaus, Brandon  
Nebraska Credit Union League

Lyons, Liz  
Children's Hospital & Medical Center

Mach, Coby  
Lincoln Independent Business Association (LIBA)

Mallett, Rochelle A.  
O'Hara Lindsay & Associates, Inc.

Martin, Susan L.  
Nebraska State AFL-CIO

Marvin, Michael  
Nebraska Association of Public Employees NAPE/AFSCME Local 61

Matheson, Michael D.  
Grain Belt Energy Services

McBride, David S.  
Nebraska Optometric Association

McClure, Jeanne L.  
CHI Health

McClure, John C.  
Nebraska Public Power District

McClymont, Pete  
Nebraska Cattlemen, Inc.

McCullough, Jacqueline K.  
American Council of Engineering Companies/Nebraska  
Nebraska County Attorneys Association

McDonald, Sarah  
Werner Enterprises, Inc. and Subsidiaries

McDonald, Vickie  
Nebraska Association of Former State Legislators

McGowan, Kyle  
Nebraska Council of School Administrators

McGrain, Jordan  
Convention of States Action

McGuire, Mark D.  
Cameco Resources

McHale, Michael  
Nebraska Catholic Conference

McKee, Nancy  
Sunovion Pharmaceuticals Inc.

McKenzie, Janis M.  
Nebraska Association for the Gifted

Nebraska Insurance Federation  
McLarty, Brianna  
Nebraskans for Civic Reform  
Melotz, Shawn  
Papio Valley Preservation Association, Inc.  
Menzel, Elaine  
Nebraska Association of County Officials  
Meradith, Steve  
Windstream Communications  
Meurrens, Bradley  
Disability Rights Nebraska  
Meyer, Les  
American Life and Security  
Meyer, Patricia  
Nebraska Winery and Grape Growers Association (NWGGA)  
Mick, Ansley  
Nebraska Farm Bureau Federation  
Mikkelsen, Brian  
Nebraska State Education Association  
Mikolajczyk, Megan N  
Planned Parenthood of the Heartland  
Miller, Amy A.  
ACLU Nebraska  
Mines, Mick  
Bromm Nielsen & Mines  
Mollhoff, Janece  
League of Women Voters of Nebraska  
Monson, Andrew  
First Five Nebraska  
Moody, Christopher  
General Motors LLC  
Mueller Robak  
American Express Travel Related Services, Inc.  
Associated General Contractors of America, Nebraska Chapter  
AT&T, Inc.  
Chief Industries, Inc.  
Children and Family Coalition of Nebraska  
COPIC Insurance Company  
Data Recognition Corporation  
Duncan Aviation, Inc.  
Eastern Nebraska Development Council  
First Data Corporation  
Frenchman Cambridge Irrigation District  
GlaxoSmithKline  
Greenwich Biosciences, Inc.  
Integrated Life Choices  
Lincoln Airport Authority  
Madonna Rehabilitation Hospital  
Millard Public Schools

Millard Roofing and Gutter Company  
Nebraska Academy of Eye Physicians and Surgeons  
Nebraska Association of Airport Officials  
Nebraska Association of Commercial Property Owners  
Nebraska Court Reporters Association  
Nebraska Dental Association  
Nebraska District Court Judges Association  
Nebraska Independent Institution of Higher Education  
Nebraska Interactive  
Nebraska Land Title Association  
Nebraska Machinery Company  
Nebraska Medical Association  
Nebraska Methodist Health Systems  
Nebraska Press Association  
Nebraska Society of Independent Accountants  
Nebraska State Bar Association  
Nebraskans for Civic Reform  
New Venture Fund  
PayPal  
Pharmaceutical Research and Manufacturers of America  
Smithfield Foods, Inc.  
Stand for Schools  
State Troopers Association of Nebraska, Inc.  
Sugar Creek Capital  
Viaero Wireless (Withdrawn 01/05/2017)  
Women's Fund of Greater Omaha, Inc.  
Mueller, William J.  
Mueller Robak, LLC  
Neal, John P.  
Lincoln Public Schools  
Neilan Strategy Group  
Cavanaugh Law Firm, P.C., L.L.O.  
Tenaska  
Neilan, Perre S.  
Neilan Strategy Group  
Nelson, Stephen D.  
Nebraska Farm Bureau Federation  
Neville, Brennan S.  
National Indemnity Company  
Nickerson, Jocelyn S.  
Humane Society of the United States, The  
Nielsen, Coleen J.  
Bromm Nielsen & Mines  
Nolan, Michael J.  
League of Nebraska Municipalities  
Nowka & Edwards  
Adams Central Public Schools  
Anheuser-Busch Companies  
Bryan Health



Deloitte Consulting, LLP  
Digital Gaming Solutions, Inc.  
Elkhorn Public Schools  
Grand Island Northwest Public Schools  
Intoximeters, Inc  
Kelley Plucker, LLC  
Lakeview Community Schools  
Liberty Dental Plan (Withdrawn 12/13/2016)  
Metropolitan Utilities District  
National Utility Contractors Association of Nebraska, Inc. (NUCA)  
Nebraska Academy of Family Physicians  
Nebraska Academy of Nutrition and Dietetics  
Nebraska Acupuncture and Oriental Medicine Association  
Nebraska Association of Area Agencies on Aging  
Nebraska Association of County Officials  
Nebraska Association of Resources Districts  
Nebraska County Attorneys Association  
Nebraska Funeral Directors Association  
Nebraska Home Care Association  
Nebraska Pork Producers Association  
Nebraska Poultry Industries, Inc.  
Nebraska Public Power District  
Nebraska Rural Community Schools Association  
Nebraska Sheriffs' Association  
Nebraska Society of Radiologic Technologists  
Nebraska State College System  
Nebraska Water Coalition  
NET Foundation for Television  
OneMain Holdings, Inc  
Pfizer Inc.  
Southern Public Power District  
Union Pacific Railroad  
US Assets  
Nowka, Trent  
Nowka and Edwards  
O'Brien, Kelli Erin  
Union Pacific Railroad  
O'Hara Lindsay & Associates, Inc.  
4 Lanes 4 Nebraska  
Alliance of Automobile Manufacturers  
Alter Trading Corporation  
Black Hills Energy  
Blue Cross and Blue Shield of Nebraska  
Center Pivot Manufacturers Association  
City of Hastings  
City of Kearney  
City of Lexington  
City of Lincoln  
First National of Nebraska, Inc.

Gracie Technologies LLC  
Humanities Nebraska  
Institute of Scrap Recycling Industries, Inc., Northwest Chapter  
National Association of Housing and Redevelopment Officials, Nebraska  
Chapter  
Nebraska Association of Independent Ambulatory Centers  
Nebraska Association of Trial Attorneys  
Nebraska Beverage Association  
Nebraska County Judges Association  
Nebraska Kidney Coalition  
Nebraska Nurses Association  
Nebraska Rural Broadband Coalition  
Nebraskans For Alternatives to the Death Penalty  
Nebraskans for Rate Equity  
Northern Natural Gas  
Nucor Corporation  
Omaha Public Power District  
Omaha Public Schools  
Parkinson's Action Network  
Self Storage Association  
Teradata  
Vandelay Investments, LLC  
Winnebago Tribe of Nebraska  
Orr, Scott  
FMR LLC  
Orton, Leroy W.  
Nebraska Onsite Waste Water Association  
Nebraska State Irrigation Association  
Nebraska Well Drillers Association  
Othmer, Mark F.  
Iowa-Nebraska Equipment Dealers Association  
Otto, James A.  
Nebraska Restaurant Association  
Nebraska Retail Federation  
OneMain Holdings, Inc  
Otto, Richard J.  
Nebraska Restaurant Association  
Nebraska Retail Federation  
OneMain Holdings, Inc  
Pack, Mary M.  
Radcliffe, Walter H. of Radcliffe and Associates  
Paden, Nicholas K.  
Cox Communications  
Padilla, Julie  
Renovate America, Inc.  
Parker, David R.  
Great West Casualty Company  
Parr, Ann L.  
Farmers Mutual of Nebraska

Partington, Jim  
Nebraska Restaurant Association  
Peetz & Company  
Advocates for Behavioral Health  
Aetna  
CHI Health  
Children's Hospital & Medical Center  
Cox Communications  
Durham Museum  
First Five Nebraska  
Kiewit Corporation  
Lockridge Grindal Nauen P.L.L.P.  
Metropolitan Entertainment & Convention Authority  
Microsoft Corporation  
Nebraska Nurse Practitioners  
Omaha Zoological Society  
School Employees' Retirement System of Douglas County School District 1  
Tenaska  
TradeWind Energy  
University of Nebraska  
Yahoo, Inc.  
Peetz, Jack  
Peetz & Company  
Peetz, Natalie  
Peetz & Company  
Petersen, Scott  
Printing Industry Midwest (PIM)  
Peterson, Chris  
CP Strategies LLC  
Peterson, Patricia Schuett  
Nebraska Investment Finance Authority  
Petsch, Jean  
Associated General Contractors - Nebraska Building Chapter  
Pfeifer, Pat  
Nebraska State Legislative Board - Brotherhood of Locomotive  
Engineers and Trainmen  
Pitts, Kathleen  
Nebraska Appleseed  
Pollock, Andy  
Nebraska Defense Counsel Association  
Nebraska Library Association  
Nebraska Rural Telecommunications Coalition  
Nebraska Transportation Association  
Nebraska Travel Association (NETA)  
NorthWestern Energy  
Pillen Family Farms (formerly Progressive Swine Technologies)  
United Healthcare Services, Inc.  
Waste Connections of Nebraska, Inc.

Potter, Cara E.  
WellCare Health Plans, Inc.  
Prockish, Ann  
CenturyLink  
Prokop, Matthew  
American Cancer Society Cancer Action Network  
Pulliam, Greg  
Exxon Mobil Corporation  
Quick, Kim A.  
Nebraska Labor Unity Council c/o Teamsters Local 554  
Radcliffe, Walter H. of Radcliffe and Associates  
Advance America c/o MultiState Associates, Inc.  
Altria Client Services LLC and its Affiliates  
Amgen  
Bellevue Public Schools  
Educators Health Alliance of Nebraska  
Enterprise Rent-A-Car  
Farm Credit Services of America  
Father Flanagan's Boys' Home aka Boys Town  
Father Flanagan's Boys' Home dba Boys Town National Research  
Hospital  
Friends of Nebraska Parks  
HBAL/MOBA Coalition  
Ho-Chunk, Inc.  
Housing Policy Network  
Hy-Vee  
League of Nebraska Municipalities  
Lincoln Public Schools  
Media of Nebraska, Inc.  
Metropolitan Community College  
Motion Picture Association of America  
Nebraska Association of Health Underwriters (NAHU)  
Nebraska Broadcasters Association  
Nebraska Cable Communications Association  
Nebraska Cultural Endowment  
Nebraska Expressways for Economic Development (NEED)  
Nebraska Health Care Association, Inc.  
Nebraska Liquor Wholesalers  
Nebraska Optometric Association  
Nebraska Pyrotechnics Association  
Nebraska Realtors Association  
Nebraska Society of Certified Public Accountants  
Nebraska State Cemetery Association  
Nebraska State Fair Board  
Nebraska Telecommunications Association  
Pinnacle Bank  
Property Casualty Insurers Association of America  
Retirement Security Initiative  
Sanofi Pasteur c/o MultiState Associates Inc.  
Tyson Foods, Inc.

Redoutey, Laura J.  
Nebraska Hospital Association  
Reece, Kaitlin  
Voices for Children in Nebraska  
Reiser, Richard S.  
Nebraska Trucking Association  
Rempe, Jay E.  
Nebraska Farm Bureau Federation  
Renner, Shawn D.  
Media of Nebraska, Inc.  
Rex, L. Lynn  
League of Nebraska Municipalities  
Richards, Thomas  
Omaha Public Power District  
Rieker, Bruce R.  
Nebraska Farm Bureau Federation  
Riley, Christopher T.  
Archer Daniels Midland Company  
Robak, Kim M.  
Mueller Robak, LLC  
Rogert, Kent  
Jensen Rogert Associates, Inc.  
Root, David  
Prime Therapeutics, LLC  
Roque, Matthew  
ProRail Nebraska, Inc.  
Rubel, Lauralie  
WellCare Health Plans, Inc.  
Rubin, Barry R.  
Heartland Strategy Group, LLC  
Ryan, June  
AARP Nebraska  
Sahling-Zart, Shelley R.  
Lincoln Electric System  
Sanne, Richard D.  
Nebraska Grain and Feed Association  
Schaefer, Matthew T.  
Mueller Robak, LLC  
Scherer, Larry  
Nebraska State Education Association  
Schilz, Kenneth  
Bruning Law Group  
Schmit-Albin, Julie  
Nebraska Right to Life  
Schneider, David  
Convention of States Action  
Schrader, Cora  
Peetz & Company

Schubauer, Tyler  
Ameritas Life Insurance Corp.

Schuller, Lynne  
Nebraska Horsemen's Benevolent and Protective Association  
Nebraska Propane Gas Association

Sears, Jay  
Nebraska State Education Association

Sedlacek, Ronald J.  
Husch Blackwell LLP  
Nebraska Chamber of Commerce & Industry

Seelhoff, Janet  
National Utility Contractors Association of Nebraska, Inc. (NUCA)  
Nebraska Home Care Association

Siefken, Kathy  
Nebraska Grocery Industry Association  
SHAZAM

Silke, Vanessa  
Baird Holm LLP

Sobotta, Russell  
Sanofi US

Spatz, John  
Nebraska Association of School Boards

Spohn, Katherine J.  
Bruning Law Group

Stilmock, Gerald M.  
Brandt, Horan, Hallstrom and Stilmock

Stoddard, Abigail  
Prime Therapeutics, LLC

Sullivan, J. Scott  
Nebraska Credit Union League

Summers, Juliet  
Voices for Children in Nebraska

Swanson, Heather  
Nebraska Affiliate of the American College of Nurse-Midwives

Thompson, Brian  
Consolidated Companies, Inc.

Todd, A. Loy, Jr.  
Nebraska New Car & Truck Dealers Association

Turner, Alexa  
Associated Builders and Contractors, Inc.

Uhe, Fred J.  
Sarpy County Board of Commissioners

Ullstrom, Galen F.  
Mutual of Omaha

Venzor, Tom  
Nebraska Catholic Conference

Vodvarka, Dan  
Nebraska Society of Certified Public Accountants

Vokal, James D., Jr.  
Platte Institute for Economic Research  
Waite, Michelle  
University of Nebraska  
Ward, Kathryn  
AARP Nebraska  
Warth, Terry  
Nebraska Public Power District  
Weber, Michelle  
Zulkoski Weber LLC  
Weber, Rocky  
Nebraska Cooperative Council  
Werner, Terry  
Nebraska Chapter of the National Association of Social Workers  
Wesely, Don  
O'Hara Lindsay & Associates, Inc.  
Weston, Christie  
Nebraska Investment Finance Authority  
White, Rosemary  
AAA Nebraska and The Auto Club Group  
Wickersham, William R.  
Nebraska Association of Former State Legislators  
Wickman-Byrd, Barbara J.  
Nebraska State Home Builders Association  
Wightman, Anna Castner  
First National of Nebraska, Inc.  
Williams, Benjamin  
College Board  
Williams, David M.  
Ameritas Life Insurance Corp.  
Windle, J. Bub  
Mueller Robak, LLC  
Wininger, Dwight R.  
Pinpoint Holdings, Inc.  
Winter, Robert  
Greater Nebraska Schools Association  
Withem, Ronald E.  
University of Nebraska  
Wolf, Ron  
Nebraska State Irrigation Association  
Wolfe, Jessica  
Greenwich Biosciences, Inc.  
Wright, Sheryl L.  
League of Women Voters of Nebraska  
Wurster, Donald F.  
National Indemnity Company  
Yaki, Michael  
Renovate America, Inc.

Yost, Kurt T.  
Central Nebraska Public Power and Irrigation  
MM Finance, LLC  
Nebraska Financial Services Association  
Nebraska Independent Community Bankers  
Young, Joseph  
Nebraska Chamber of Commerce & Industry  
Young, Philip  
Americans For Electricity Choice  
Youngberg, Steven Dr.  
Nebraska Firearms Owners Association (NFOA)  
Zalenski, Susan D.  
Johnson & Johnson  
Zink-Wythers, Jeanie  
AARP Nebraska  
Zulkoski Weber LLC  
Bio Nebraska Life Sciences Association  
Biotechnology Innovation Organization  
Consortia Consulting  
Ducks Unlimited, Inc.  
Kum & Go  
Nebraska Academy of Physician Assistants  
Nebraska Broadband Coalition  
Nebraska Hospital Association  
Nebraska Veterinary Medical Association  
Niobrara River Basin Alliance  
Renewable Fuels Nebraska  
Zulkoski, Katie W.  
Zulkoski Weber LLC  
Zych, Michelle  
Women's Fund of Greater Omaha, Inc.

#### **ANNOUNCEMENT(S)**

The Banking, Commerce and Insurance Committee elected Senator Williams as Vice Chairperson.

The Health and Human Services Committee elected Senator Erdman as Vice Chairperson.

The Judiciary Committee elected Senator Pansing Brooks as Vice Chairperson.

The Nebraska Retirement Systems Committee elected Senator Lindstrom as Vice Chairperson.



**BILLS ON FIRST READING**

The following bills were read for the first time by title:

**LEGISLATIVE BILL 135.** Introduced by Lowe, 37.

A BILL FOR AN ACT relating to the Department of Agriculture; to amend sections 81-2,163 and 81-2,164.03, Reissue Revised Statutes of Nebraska; to change provisions relating to publicity; to eliminate a publication provision; to eliminate the power of the Director of Agriculture to designate a bureau as prescribed; to change provisions relating to the Agricultural Products Marketing Information Cash Fund; to repeal the original sections; and to outright repeal sections 81-2,164, 81-2,164.01, and 81-2,164.02, Reissue Revised Statutes of Nebraska.

**LEGISLATIVE BILL 136.** Introduced by Ebke, 32.

A BILL FOR AN ACT relating to civil procedure; to amend sections 25-1029 and 25-1056, Reissue Revised Statutes of Nebraska; to provide for release of certain property attached pursuant to an order of garnishment as prescribed; to change provisions relating to the effect of garnishment summons issued to financial institutions as prescribed; and to repeal the original sections.

**LEGISLATIVE BILL 137.** Introduced by Lindstrom, 18.

A BILL FOR AN ACT relating to life insurance; to adopt the Unclaimed Life Insurance Benefits Act; and to provide an operative date.

**LEGISLATIVE BILL 138.** Introduced by Lindstrom, 18.

A BILL FOR AN ACT relating to uniform transfer-on-death security registration; to amend section 30-2734, Reissue Revised Statutes of Nebraska; to define a term; to provide for transfer of business interests; to repeal the original section; and to declare an emergency.

**LEGISLATIVE BILL 139.** Introduced by Crawford, 45.

A BILL FOR AN ACT relating to county officers; to amend sections 32-101, 32-517, 32-518, 32-519, 32-520, 32-521, 32-522, 32-523, 32-524, 32-525, 32-526, 32-528, and 32-529, Reissue Revised Statutes of Nebraska; to authorize voters to vote regarding partisan or nonpartisan ballots for nomination and election of county officers; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 140.** Introduced by Williams, 36.

A BILL FOR AN ACT relating to banking and finance; to amend sections 8-101.01, 8-102, 8-104, 8-105, 8-106, 8-107, 8-109, 8-110, 8-111, 8-112,

8-113, 8-114, 8-116.01, 8-118, 8-119, 8-120, 8-122, 8-124, 8-124.01, 8-125, 8-126, 8-127, 8-129, 8-130, 8-132, 8-133, 8-137, 8-138, 8-139, 8-141, 8-143, 8-143.01, 8-144, 8-145, 8-147, 8-148, 8-148.01, 8-148.02, 8-148.04, 8-148.05, 8-148.07, 8-148.08, 8-150, 8-152, 8-158, 8-160, 8-161, 8-163, 8-164, 8-166, 8-167, 8-168, 8-169, 8-170, 8-171, 8-173, 8-174, 8-175, 8-177, 8-178, 8-179, 8-180, 8-182, 8-183, 8-183.04, 8-183.05, 8-184, 8-185, 8-186, 8-187, 8-188, 8-189, 8-190, 8-191, 8-192, 8-193, 8-194, 8-195, 8-196, 8-197, 8-198, 8-199, 8-1,100, 8-1,101, 8-1,102, 8-1,103, 8-1,104, 8-1,105, 8-1,106, 8-1,107, 8-1,108, 8-1,109, 8-1,110, 8-1,111, 8-1,112, 8-1,113, 8-1,115, 8-1,116, 8-1,117, 8-1,118, 8-1,119, 8-1,124, 8-1,125, 8-1,126, 8-1,127, 8-1,128, 8-1,129, 8-1,131, 8-1,133, 8-1,134, 8-1,135, 8-1,136, 8-1,137, 8-1,138, 8-1,139, 8-206, 8-207, 8-603, 8-701, 8-815, 8-820, 8-822, 8-826, 8-828, 8-2401, 28-612, 30-2602.02, 30-2640, 45-902, 45-919, 45-1103, and 49-1497, Reissue Revised Statutes of Nebraska, and sections 8-101, 8-103, 8-108, 8-116, 8-117, 8-128, 8-135, 8-153, 8-157, 8-157.01, 8-162.02, 8-167.01, 8-318, 8-601, 8-602, 8-702, 8-1401, 9-701, 45-335, and 45-1002, Revised Statutes Cumulative Supplement, 2016; to change provisions of the Nebraska Banking Act; to change provisions relating to Department of Banking and Finance and Director of Banking and Finance powers and duties, the management of banks and other financial institutions, safe deposit boxes, and the registration of mortgage loan originators; to adopt certain federal provisions; to change provisions relating to merger and consolidation of banks; to change provisions relating to department fees, assessments and fines; to change provisions relating to banks as personal representatives or administrators, bank records and files, bank subsidiary corporations, rewards, and certain notice to the Governor; to change and eliminate state provisions relating to the Federal Banking Act of 1933; to change and eliminate provisions relating to personal loans by banks and trust companies and the violation of such provisions; to change provisions relating to trust company powers; to change provisions relating to confidential records or information; to eliminate a duty of the department to issue a certificate and other approval duties; to redefine a term; to provide for applicability; to harmonize provisions; to repeal the original sections; and to outright repeal sections 8-121, 8-151, 8-1,120, 8-1,121, 8-816, 8-819, and 8-827, Reissue Revised Statutes of Nebraska.

**LEGISLATIVE BILL 141.** Introduced by Williams, 36.

A BILL FOR AN ACT relating to unclaimed property; to amend sections 2-1223, 8-170, 9-645, 21-1737, 21-19,145, 24-345, 24-708, 25-2717, 43-3344, 44-4845, 79-932, 79-956, 81-2025, 84-617, and 84-1317, Reissue Revised Statutes of Nebraska, and sections 21-2,202, 23-2315, 69-2304, and 69-2308, Revised Statutes Cumulative Supplement, 2016; to adopt the Revised Uniform Unclaimed Property Act; to eliminate the Uniform Disposition of Unclaimed Property Act; to harmonize provisions; to provide an operative date; to provide severability; to repeal the original sections; and to outright repeal sections 69-1302, 69-1303, 69-1304, 69-1305, 69-1305.01, 69-1305.02, 69-1305.03, 69-1306, 69-1307, 69-1307.01, 69-1307.02, 69-1307.03, 69-1307.04, 69-1307.05, 69-1308, 69-1309,

69-1310, 69-1311, 69-1312, 69-1313, 69-1314, 69-1315, 69-1316, 69-1318, 69-1318.01, 69-1319, 69-1320, 69-1321, 69-1322, 69-1323, 69-1324, 69-1325, 69-1326, 69-1327, and 69-1328, Reissue Revised Statutes of Nebraska, and sections 69-1301, 69-1307.06, 69-1307.07, 69-1317, and 69-1329, Revised Statutes Cumulative Supplement, 2016.

**LEGISLATIVE BILL 142.** Introduced by Williams, 36.

A BILL FOR AN ACT relating to farm product security interests; to amend sections 52-1307 and 52-1603, Revised Statutes Cumulative Supplement, 2016; to redefine effective financing statement; to change provisions relating to the master lien list; to repeal the original sections; and to declare an emergency.

**LEGISLATIVE BILL 143.** Introduced by Friesen, 34.

A BILL FOR AN ACT relating to the Motor Vehicle Registration Act; to amend section 60-363, Revised Statutes Cumulative Supplement, 2016; to provide a duty to carry exception for public power district motor vehicle or trailer registration certificates; and to repeal the original section.

**LEGISLATIVE BILL 144.** Introduced by Friesen, 34.

A BILL FOR AN ACT relating to the Tax Equity and Educational Opportunities Support Act; to amend section 79-1016, Reissue Revised Statutes of Nebraska; to change the calculation of adjusted valuation for agricultural and horticultural land; and to repeal the original section.

**LEGISLATIVE BILL 145.** Introduced by Hansen, 26.

A BILL FOR AN ACT relating to fines and costs; to amend sections 29-2206, 29-2206.01, 29-2279, 29-2404, 29-2412, and 60-692, Reissue Revised Statutes of Nebraska, and section 60-4,100, Revised Statutes Cumulative Supplement, 2016; to provide for a hearing to determine a person's financial ability to pay fines or costs or a traffic citation and to provide for community service; to change provisions relating to procedures for suspending an operator's license; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 146.** Introduced by Hansen, 26.

A BILL FOR AN ACT relating to the Nebraska Probation Administration Act; to amend section 29-2264, Reissue Revised Statutes of Nebraska; to provide for set-asides of infractions as prescribed; to harmonize provisions; and to repeal the original section.

**LEGISLATIVE BILL 147.** Introduced by Hansen, 26.

A BILL FOR AN ACT relating to the Nebraska Workers' Compensation

Act; to amend section 48-125, Revised Statutes Cumulative Supplement, 2016; to change provisions relating to additional compensation for waiting time, termination of compensation, and awarding of attorney's fees; and to repeal the original section.

**LEGISLATIVE BILL 148.** Introduced by Schumacher, 22.

A BILL FOR AN ACT relating to finance; to amend sections 8-1102, 8-1103, 8-1107, 8-1109.01, 8-1109.02, 8-1110, 8-1115, 8-1116, 8-1117, 8-1122.01, and 8-1123, Reissue Revised Statutes of Nebraska, and sections 8-1101, 8-1106, 8-1108, 8-1108.01, 8-1109, 8-1111, 8-1118, and 8-1120, Revised Statutes Cumulative Supplement, 2016; to change provisions of the Securities Act of Nebraska; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 149.** Introduced by Stinner, 48.

A BILL FOR AN ACT relating to appropriations; to amend Laws 2015, LB657, section 17; to reduce an appropriation; and to repeal the original section.

**LEGISLATIVE BILL 150.** Introduced by Stinner, 48.

A BILL FOR AN ACT relating to the Cash Reserve Fund; to amend section 84-612, Revised Statutes Cumulative Supplement, 2016; to provide for transfers; and to repeal the original section.

**LEGISLATIVE BILL 151.** Introduced by Stinner, 48.

A BILL FOR AN ACT relating to the Auditor of Public Accounts; to amend section 84-304, Revised Statutes Cumulative Supplement, 2016; to change provisions relating to the duties of the Auditor of Public Accounts; to require a report by certain state entities as prescribed; to harmonize provisions; and to repeal the original section.

**LEGISLATIVE BILL 152.** Introduced by Craighead, 6.

A BILL FOR AN ACT relating to fees; to amend sections 25-2154 and 33-109, Reissue Revised Statutes of Nebraska, and sections 52-1004 and 77-3903, Revised Statutes Cumulative Supplement, 2016; to change and eliminate provisions relating to the fees for recording and filing certain documents; and to repeal the original sections.

**LEGISLATIVE BILL 153.** Introduced by Kuehn, 38.

A BILL FOR AN ACT relating to lobbying; to amend section 49-1492, Reissue Revised Statutes of Nebraska; to prohibit certain former officeholders and public employees from being lobbyists as prescribed; to repeal the original section; and to declare an emergency.

**LEGISLATIVE BILL 154.** Introduced by Geist, 25.

A BILL FOR AN ACT relating to the Safety of Dams and Reservoirs Act; to amend section 46-1657, Reissue Revised Statutes of Nebraska; to provide for the filing of a completion certificate without a filing fee; and to repeal the original section.

**LEGISLATIVE BILL 155.** Introduced by Brasch, 16.

A BILL FOR AN ACT relating to education; to state intent; and to provide for successful completion of a civics test as a prerequisite to high school graduation as prescribed.

**LEGISLATIVE BILL 156.** Introduced by Friesen, 34.

A BILL FOR AN ACT relating to the 911 Service System Act; to amend section 86-1001, Revised Statutes Cumulative Supplement, 2016; to eliminate a termination date; to harmonize provisions; to repeal the original section; and to outright repeal section 86-1030, Revised Statutes Cumulative Supplement, 2016.

**LEGISLATIVE BILL 157.** Introduced by Friesen, 34.

A BILL FOR AN ACT relating to telecommunications; to amend sections 86-316, 86-318, 86-328, 86-902, 86-903, 86-904, and 86-905, Reissue Revised Statutes of Nebraska; to define and redefine terms; to change a provision of the Nebraska Telecommunications Universal Service Fund Act; to change the prepaid wireless surcharge determination and duties of sellers and the Department of Revenue under the Prepaid Wireless Surcharge Act; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 158.** Introduced by Pansing Brooks, 28.

A BILL FOR AN ACT relating to juveniles; to amend sections 43-272 and 43-3102, Reissue Revised Statutes of Nebraska; to change provisions relating to appointment of counsel for juveniles and standards for guardians ad litem and attorneys in juvenile court; to provide for rescission of a waiver of counsel by a juvenile; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 159.** Introduced by McCollister, 20; Craighead, 6; Linehan, 39; McDonnell, 5; Vargas, 7; Wayne, 13.

A BILL FOR AN ACT relating to cities of the metropolitan class; to amend section 14-537, Revised Statutes Cumulative Supplement, 2016; to change provisions relating to when special assessments are payable; and to repeal the original section.

**LEGISLATIVE BILL 160.** Introduced by McCollister, 20.

A BILL FOR AN ACT relating to crime victims; to amend section 29-119, Reissue Revised Statutes of Nebraska; to redefine victim; and to repeal the original section.

**LEGISLATIVE BILL 161.** Introduced by Friesen, 34.

A BILL FOR AN ACT relating to the Nebraska Advantage Act; to amend sections 77-5726 and 77-5735, Revised Statutes Cumulative Supplement, 2016; to change provisions relating to a carryover period; to provide for applicability; and to repeal the original sections.

**LEGISLATIVE BILL 162.** Introduced by Krist, 10.

A BILL FOR AN ACT relating to crimes and offenses; to amend sections 28-111, 28-502, 28-503, 28-519, 28-918, 28-919, 28-920, and 28-1354, Reissue Revised Statutes of Nebraska; to change provisions relating to criminal mischief; to change and provide additional penalties for bribing or tampering with witnesses or informants and bribing a juror or jury tampering; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 163.** Introduced by Vargas, 7; Blood, 3; Chambers, 11; Kolowski, 31; Krist, 10; Linehan, 39; McDonnell, 5; Morfeld, 46; Wayne, 13; Wishart, 27.

A BILL FOR AN ACT relating to elections; to amend sections 32-904, 32-938, and 32-942, Reissue Revised Statutes of Nebraska; to provide for additional polling places prior to an election; to provide powers and duties; to harmonize provisions; and to repeal the original sections.

**RESOLUTION(S)**

**LEGISLATIVE RESOLUTION 6.** Introduced by Ebke, 32; Bostelman, 23; Brewer, 43; Erdman, 47; Friesen, 34; Groene, 42; Halloran, 33; Kolterman, 24; Larson, 40; Lindstrom, 18; Watermeier, 1; Williams, 36.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED FIFTH LEGISLATURE OF NEBRASKA, FIRST SESSION:

1. The Legislature of the State of Nebraska hereby applies to Congress, under the provisions of Article V of the Constitution of the United States, for the calling of a convention of the states limited to proposing amendments to the Constitution of the United States that impose fiscal restraints on the federal government, limit the power and jurisdiction of the federal government, and limit the terms of office for its officials and for members of Congress.

2. The Clerk of the Legislature shall transmit copies of this application to the President and Secretary of the United States Senate, to the Speaker and Clerk of the United States House of Representatives, to the members of the Senate and House of Representatives from this state, and to the presiding officers of each of the legislative houses in the several states, requesting their cooperation.

3. This application constitutes a continuing application in accordance with Article V of the Constitution of the United States until the legislatures of at least two-thirds of the several states have made applications on the same subject.

**LEGISLATIVE RESOLUTION 7.** Introduced by McCollister, 20; Craighead, 6.

WHEREAS, Andrew Easton, a teacher at Omaha Westside High School, was named by the Public Broadcasting Service as one of 52 Lead Digital Innovators from a pool of talented and innovative educators from across the United States and its territories; and

WHEREAS, Mr. Easton became a student himself by joining his own students in taking fellow Westside teacher Matt Rasgorshek's introduction to video class to learn how to use videos in his classroom to give students more instructional options; and

WHEREAS, Mr. Easton tries to use technology in nearly every facet of his teaching through sites like Animoto, nawnal and PowToon, as well as screen casts and presentations in Prezi to mix things up and make videos fun and educational; and

WHEREAS, Mr. Easton is a third-generation teacher who was inspired by his father and grandfather to serve other people and help students achieve their personal and educational goals; and

WHEREAS, Mr. Easton also serves Westside High School as head coach for the impressive boys' varsity cross country team, which competed in the state championship in 2016 for a record-setting fourth consecutive year; and

WHEREAS, Mr. Easton has earned the respect of his colleagues at Westside High School and in the Omaha education community. He is often mentioned in Westside's One-to-One Learning Initiative presentations as proof of the impact technology has on young learners.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED FIFTH LEGISLATURE OF NEBRASKA, FIRST SESSION:

1. That the Legislature congratulates Andrew Easton of Omaha Westside High School for being named the 2016 Lead Digital Innovator for Nebraska by the Public Broadcasting Service.

2. That a copy of this resolution be sent to Andrew Easton, Westside Community Schools Superintendent Blane McCann, Assistant Superintendent Mark Weichel, Director of Communications and Engagement Brandi Petersen, and Mr. Easton's video technology mentor, Matt Rasgorshek.

Laid over.

**NOTICE OF COMMITTEE HEARING(S)**

Health and Human Services

Room 1510

Wednesday, January 18, 2017 1:30 p.m.

LB18

LB19

LB33

Thursday, February 2, 2017 1:30 p.m.

LB91

LB59

(Signed) Merv Riepe, Chairperson

Government, Military and Veterans Affairs

Room 1507

Friday, February 10, 2017 1:30 p.m.

LB68

(Signed) John Murante, Chairperson

Transportation and Telecommunications

Room 1113

Tuesday, January 17, 2017 1:30 p.m.

LB45

LB46

(Signed) Curt Friesen, Chairperson

**UNANIMOUS CONSENT - Add Cointroducer(s)**

Unanimous consent to add Senator(s) as cointroducer(s). No objections. So ordered.

Senator Chambers name added to LB85.

Senator Bostelman name added to LB68.



**VISITOR(S)**

The Doctor of the Day was Dr. Roger Meyer from Utica.

**ADJOURNMENT**

At 10:12 a.m., on a motion by Senator Hughes, the Legislature adjourned until 9:00 a.m., Tuesday, January 10, 2017.

Patrick J. O'Donnell  
Clerk of the Legislature

